



## **Town of Beaufort, NC**

701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516  
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

### **Board of Commissioners Regular Meeting 6:00 PM Monday, November 14, 2022 Train Depot, 614 Broad Street Beaufort, NC 28516**

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#### **Call to Order/Pledge of Allegiance**

#### **Roll Call**

#### **Agenda Approval**

#### **Public Comment**

#### **Items of Consent**

- [1.](#) Minutes- October 10th & 24th

#### **Items for Discussion and Consideration**

- [1.](#) Sewer Allocation Request- Proposed Salt Wynd Preserve Subdivision, Phase 2
- [2.](#) Triathlon Event Request
- [3.](#) Oceanview Cemetery
- [4.](#) Voluntary Annexation (Blue Treasure, LLC); Certificate of Sufficiency & Fixing a Public Hearing Date
- [5.](#) Human Resources- Amendments to Personnel Policy
- [6.](#) Setting Date to Conduct Manager Evaluation

#### **Public Hearing**

- [1.](#) Rezoning of 243 Leonda Drive from R-20 to RS-5.

#### **Manager Report**

#### **Mayor/Commissioner Comments**

#### **Closed Session**

- [1.](#) Pursuant to NCGS 143-318.11 (a) (4)

#### **Adjourn**



**Town of Beaufort, NC**

701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516  
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

**Board of Commissioners  
Regular Meeting  
6:00 PM Monday, November 14, 2022  
Train Depot, 614 Broad Street**

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**AGENDA CATEGORY:** Items of Consent  
**SUBJECT:** Minutes- October 10<sup>th</sup> & 24<sup>th</sup>

**BRIEF SUMMARY:**

Review the draft Board of Commissioners minutes from the following meetings:

October 10, 2022 Regular Meeting

October 24, 2022 Work Session

**REQUESTED ACTION:**

Approval of attached minutes.

**EXPECTED LENGTH OF PRESENTATION:**

1 Minutes

**SUBMITTED BY:**

Elizabeth Lewis, Town Clerk

**BUDGET AMENDMENT REQUIRED:**

N/A



**Town of Beaufort, NC**  
701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516  
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**Board of Commissioners  
Regular Meeting  
6:00 PM Monday, October 10, 2022  
Train Depot, 614 Broad Street  
Beaufort, NC 28516  
Minutes**

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**Call to Order/Pledge of Allegiance**

Mayor Sharon Harker called the meeting to order at 6:00 p.m. and invited all to join in reciting the Pledge of Allegiance.

**Roll Call**

Elizabeth Lewis, Town Clerk, called the roll.

**PRESENT:**

Mayor Harker

Mayor Pro Tem Hagle

Commissioner Oliver

Commissioner Cooper

Commissioner Terwilliger

Commissioner Hollinshed

**Agenda Approval**

Commissioner Hagle made a motion to approve the agenda as presented.

The motion carried unanimously.

## Public Comment

Pearlie Oden, 1100 Pine Street (Apart B) in Beaufort, questioned the ownership of the Oceanview Cemetery, specifically on the east side. She also asked if there was a plan to close the cemetery.

The Mayor confirmed there was no plan to close the cemetery at this time and asked the Town Attorney, Arey Grady to address the ownership question.

Mr. Grady discussed deeds associated with Oceanview Cemetery. He explained the Town's position and noted they had been performing maintenance on the property for many years, because they exercised their right to take authority over the cemetery through State Statute.

Margaret Powell, 264 Glenda Drive (Unit 1) in Beaufort, also spoke about the Oceanview Cemetery questioning ownership and sharing history. She discussed background on the cemetery through deed references and past committee involvement. She requested a meeting of the Mayor and several Town officials to discuss her concerns regrading ownership of the cemetery; she asked that other citizens who were interested be invited as well.

Mayor Harker confirmed she would be in touch with Ms. Powell in efforts to setup a meeting.

## Presentations

1. Beaufort Housing Authority- Dick DeButts

Dick DeButts, Chairman of the Beaufort Housing Authority gave a presentation on future efforts to transform the Housing Authority's owned and controlled low-income housing units into a Public Private Partnership with Winn Developers. A copy of the presentation is incorporated as part of the meeting minutes.

Rachol Carroll, Director of the Beaufort Housing Authority, provided an annual financial update, noting there were no Audit findings for fiscal year ending 2021.

## Items of Consent

1. Minutes- August 22nd & 24th, September 12th & 26th
2. Proposed 2023 Board of Commissioners Meeting Schedule

Commissioner Hagle made a motion to approve the items of consent as presented.

The motion carried unanimously.

## Items for Discussion and Consideration

1. Case # 22-13 Final Plat – 1791 Live Oak

Kyle Garner, Planning & Inspections Director, shared the staff report regarding Case # 22-13, Final Plat for 1791 Live Oak. He explained the Planning Board's recommendation from their September 19, 2022 meeting, that being a decision on the final plat with the condition that the final plat should not be signed or recorded until the access easement is signed and executed. He noted that at the prior Work Session meeting, the Board requested additional maps, and those maps were included in the meeting packet for review.

Commissioner Oliver asked if there would be a recordable survey required at some point.

Mr. Garner confirmed there would be a survey required. He asked Josh Johnson to speak on a prior property dispute.

Mr. Johnson confirmed the property line dispute had been resolved, and the owners of the mini storage were building on property they owned. He also confirmed there would be a final survey to confirm the property lines.

Commissioner Hagle made a motion to approve the Final Plat, with the conditions recommended by the Planning Board: no signatures on the final document until the easement has been executed as well as a recorded survey has been obtained.

The motion passed unanimously.

2. Case #22-19 Final Plat – Salt Wynd Preserve (Phase I)

Mr. Garner explained the applicant was requesting to subdivide a 37.06-acre tract into 47 single-family residential lots. He also shared there was an infrastructure improvement bond associated with the project, totaling \$3,153,123.36. He noted recreation fees in the amount of \$5,527.20 will need to be paid prior to Final Plat recordation.

Commissioner Oliver confirmed the number was 46 single-family homes and one larger lot, noting the importance of keeping a correct count of the residential lots.

Commissioner Hagle made several comments about the stormwater system associated with the development. He shared his concerns regarding the construction and maintenance of the pervious pavement stormwater design, noting he did not want the Town to be faced with future flooding issues.

Commissioner Terwilliger commented on the proposed Homeowners Association (HOA) rules, regulations and guidelines put together by the developer; he suggested they were strict and thorough. He shared his concerns of the Town being in a position to monitor any funds or performance of HOA's, noting it would be demanding on resources, time and money. He suggested hardy inspections and oversight of the development process.

Commissioner Hollinshed agreed with Commissioner Terwilliger's comments and pointed out there was a document in the meeting packet that addressed each homeowner's responsibilities.

Commissioner Hagle noted the restrictions on individual lots were separate from the maintenance of streets and sidewalks. He discussed the importance of following proper construction guidelines to ensure the stormwater system was effective in the development.

Sam Bell, Assistant Town Engineer, discussed the permeable pavement construction process, sharing examples of similar projects throughout Town and noting the maintenance required to keep those areas functioning properly.

Mr. Johnson addressed Commissioner Hagle's concerns, sharing the construction process would be monitored through North Carolina Department of Environmental Quality (NC DEQ); he noted infiltration testing must take place before a stormwater permit is issued. He explained a field official from NC DEQ would do a site-visit to test the infiltration rate and determine whether the system is functional. He also shared as part of the permitting process, the developer must supply a notarized operation and maintenance agreement that will be in the name of the HOA, which will address periodic inspections of the system.

Commissioner Hagle made a motion to approve the final plat, subject only to confirmation that the restrictive covenants contain the requirement that the State stormwater permits be properly maintained.

The motion carried unanimously.

## Public Hearing

### 1. Voluntary Annexation (Salt Wynd Phase II)

Commissioner Oliver made a motion to open the Public Hearing.

The motion carried unanimously.

Ms. Lewis shared on September 26, 2022, a Certificate of Sufficiency regarding the petitions for voluntary annexation submitted by Beaufort Agrihood, LLC was presented to the Board. Public Notice of the October 10th Public Hearing was published in the Carteret County News-Times on September 28, 2022 and October 5, 2022. Ms. Lewis explained that staff was requesting a Public Hearing be conducted on the question of voluntary annexation of several portions the following parcels: 731609153648000; 731609161556000; 731609167703000. She noted if approved, the draft ordinance attached in the meeting packet will need to be adopted.

Mr. Grady commented on the draft ordinance, explaining the conditions listed within the document. He noted that the ordinances associated with Phase I and Phase II of the Salt Wynd Project both reference Exhibit A, which is a legal description that must be provided before the documents recorded; both annexations will be effective when all of the conditions are met and the documents are filed at the Register of Deeds.

Commissioner Cooper asked if this was the entire area that would require annexation, or if there would be additional phases coming before the Board of Commissioners for approval.

Beth Clifford, applicant, the request before the Board would be the final annexation request associated with the Salt Wynd project.

Commissioner Oliver noted a portion of the property is in a floodplain, and asked if the design of those areas addressed mitigation requirements for stormwater and flooding.

Mr. Johnson confirmed a portion of the development was in the floodplain. He explained any development within that flood zone would have to meet all Town Ordinances and obtain proper building permits.

Mayor Harker asked if there was anyone in the audience that wished to speak on the question of voluntary annexation.

There was none.

Commissioner Halge made a motion to close the Public Hearing.

The motion carried unanimously.

Commissioner Hagle made a motion to approve the annexation and proposed draft ordinance to extend the corporate limits of the Town of Beaufort.

The motion carried unanimously.

### 2. Case # 22-21 Subdivision Text Amendment - Preliminary Plat Process

Commissioner Hollinshed made a motion to open the Public Hearing.

The motion carried unanimously.

Mr. Garner explained the proposed Subdivision Text Amendment would change the Preliminary Plat process, allowing the Board of Commissioners to have final approval on all Preliminary Plats.

Mayor Harker asked if anyone in the audience wished to make a comment on the proposed Text Amendment.

There was none.

Commissioner Hagle made a motion to close the Public Hearing.

The motion carried unanimously.

Commissioner Terwilliger made a motion to adopt the proposed Subdivision Text Amendment as presented.

The motion carried unanimously.

### **Manager Report**

Todd Clark, Town Manager, provided a monthly report that highlighted upcoming events and projects happening throughout Town. He share the detailed Manger's Report can be accessed on the Town's website by visiting: <https://www.beaufortnc.org/boardofcommissioners/page/managers-report>.

He also informed the group of a new webpage recently added to the Town's website, which lists current projects and status updates for each. He shared that page can be accessed on the Town's website by visiting: <https://www.beaufortnc.org/boardofcommissioners/page/managers-report>

### **Mayor/Commissioner Comments**

Commissioner Hollinshed thanked all staff members who were involved with the 2022 National Night Out event, noting there was an excellent turnout.

Commissioner Cooper thanked Fire Chief Ray and Rachel Johnson for their help educating the community on ways to donate in response to Hurricane Ian. He also commended the Police Department on a successful National Night Out. He expressed the importance of citizen participation and thanked those who were at the meeting.

Commissioner Oliver shared that he recently attended a conference focusing on the opioid crisis within Carteret County. He expressed his concerns on the matter and noted the importance of staying involved in efforts to help cure the epidemic.

Commissioner Hagle shared he recently read a NCDOT Improvement Plan that noted four future projects for the Town of Beaufort. He noted there were several safety articles on the Town's website, under the Police Department's page, and encouraged everyone to read those articles. He reminded the group of White Cane Awareness Day, which takes place on October 15th.

Commissioner Terwilliger had no comments.

Mayor Harker shared she had started an initiative called "Reading with the Mayor". For the month of October, she partnered with the Beaufort Old Towne Rotary to read and provide books to 2nd grade students at Beaufort Elementary and Tiller School. She acknowledged several staff members and thanked them for their efforts to ensure the Town was safe during Tropical Storm Ian. She also noted the great success of Beaufort Police Department during the National Night Out event.

### **Closed Session**

1. Pursuant to NCGS 143-318.11 (a) (3)

Commissioner Hagle made a motion to enter closed session, pursuant to NCGS 1430318.11 (a) (3).

The motion carried unanimously.

**Adjourn**

Commissioner Hagle made a motion to adjourn the meeting at 8:35 p.m.

The motion carried unanimously.

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Sharon Harker, Mayor

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Elizabeth Lewis, Town Clerk



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**Board of Commissioners  
Work Session Meeting  
4:00 PM Monday, October 24, 2022  
Train Depot, 614 Broad Street  
Beaufort NC 28516  
Minutes**

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**Call To Order**

Mayor Sharon Harker called the meeting to order at 4:00 p.m.

**Roll Call**

Elizabeth Lewis, Town Clerk, called the roll.

**PRESENT:**

Mayor Harker

Mayor Pro Tem Hagle

Commissioner Cooper

Commissioner Hollinshed

Commissioner Oliver

Commissioner Terwilliger

**Agenda Approval**

Commissioner Hagle made a motion to approve the agenda as presented.

The motion carried unanimously.

**Items for Discussion and Consideration**

1. Comprehensive Land Use and CAMA Plan

Todd Clark, Town Manager, recapped the Board's directive from the last discussion regarding the CAMA Plan. He noted the Town submitted the requested amendments and Jay McLeod with Stewart was present to review the changes. He asked Kyle Garner, Planning Director, to first address the Board.

Mr. Garner shared a map which reflected the availability of undeveloped parcels in the Town of Beaufort and ETJ area that were greater than 5 acres, with structure values less than \$50,000. Given those specifications, he identified the overall total acreage available to be about 229.75 acres, with 12% of those properties being located within the non-intensification zone (NIZ).

Mr. McLeod presented Stewart's revisions per the motion made by the Board of Commissioners. He noted corrections had been made to fix minor typos and errata reported by the Commissioners and Staff. He explained they were able to insert several hydrology recommendations into chapter 5 of the draft document and discussed the additions. He explained other areas of the document that had been edited to address the following: add a list of acceptable mitigation methods that preclude the effects of flooding, stormwater and rising tide and be required for all construction and reconstruction in a NIZ.

Commissioner Hagle said he considered what was added to be part of the comprehensive guidance that can be reviewed as ordinances are generated. He did not recommend inserting the additional information into the CAMA section of the document.

Commissioner Cooper noted it was an overall guiding document and he was ready to move it forward.

Commissioner Terwilliger questioned why there was not any effort put forward to reorganize the document; not to remove any information, but to make it more user friendly for future Commissioners and citizens.

Mr. McLeod noted reorganizing the document was not part of the prior motion made by the Board. He shared from the beginning, they tried to mesh the information together to ensure it was a seamless document and pointed out the document contained a large amount of information that would take time to navigate regardless of the order in which it was laid out.

Commissioner Terwilliger commented there was a lot of redundancy throughout the document and noted the size could be reduced by removing repetition information, making it a cleaner and easier read. He expressed concerns that the resiliency portion of the document called out specific projects and funding, while none of them have been approved. He commented on the mitigation additions, noting they should be as specific as possible, suggested they be reviewed or restructured. He noted the mitigation strategies should be considered as part of the approval process, to ensure the correct steps are being followed. He noted there was not a rush on approving the document, and it should be done right.

Mayor Harker commented that everything has a timeline.

Commissioner Hagle discussed his perception of the CAMA and the Comprehensive portions of the document.

Mr. McLeod confirmed that the Comprehensive Plan includes more information than the minimum CAMA requirements. He added that CAMA has no concern with housing, as it was not one of the five management topics listed.

Commissioner Oliver asked the Town Manager the status of the hydrology addition.

Mr. Clark explained the previous motion was to add hydrology recommendations into the CAMA Plan. He noted it was the Board's discretion to commission a hydrology study; with that, the Board would need to determine what the scope of the hydrology study would be and if it was incorporated as part of the CAMA Plan or not. In regard to cost associated

with a hydrology study, he shared there were not any funds appropriated in the current budget.

Commissioner Oliver shared he felt a hydrology study was needed. He expressed his concern of property rights being restricted in Beaufort, noting that the term "guidance" could be misinterpreted in the future. He shared that he did not believe the draft plan had addressed all the elements associated with hydrology that impact the community, specifically flooding and stormwater.

Mr. McLeod discussed hydrology studies often address current conditions, not future concerns, and suggested they be used on more site-specific terms.

Commissioner Oliver commented that he was more concerned with property rights within the floodplain, which is the NIZ, than anything else.

Mayor Harker commented there were many converging thoughts from the Board. She noted most of the Town's restrictive efforts would be addressed in the Land Development Ordinance (LDO) and suggested it would be more appropriate to consider a hydrology study during the LDO revision phase.

Commissioner Cooper questioned if a hydrology study was a current necessity, noting funds need to be available.

Commissioner Oliver asked Town Attorney, Arey Grady, if any requirement of the CAMA section could reserve CAMA's enforcement to those actions which are adopted in Town ordinances.

Mr. Grady questioned whether the Town would be able to tell CAMA what they can or cannot do in their permitting process. He noted if the Town used certain phrases such as, "require" or "prohibited", it makes that provision part of the CAMA permitting process.

Commissioner Terwilliger asked if a statement could be added that would require the Board of Commissioners or the Town of Beaufort to review and ensure that the appropriate mitigation strategies have been used.

Mr. Grady confirmed that could be a helpful option and discussed examples of how an idea such as that could be incorporated in the plan and coincide with the future LDO.

Commissioner Hagle commented on hydrology, noting it was important to certain areas of Town but should be a separate topic from the CAMA Plan. He said the plan was required to meet two sections of our State law: 160D and the CAMA regulations.

Commissioner Hollinshed commented the more specific a document becomes, the more you have to defend it. She suggested the topic of hydrology is not a one size fits all model.

Commissioner Terwilliger shared his concerns regarding the future use of the plan, specifically the Resiliency portion. He noted that he did not want CAMA to utilize the overall document in a way the Town did not originally intend, as it could be interpreted different ways.

Mr. McLeod commented that the Resiliency portion of the plan was not related to the comprehensive plan, rather than a secondary project that came through a grant. He said it was a great study that he thought was very useful, but it does not have to be part of the plan.

Commissioner Terwilliger suggested that idea should be consider, as it would not be difficult for the Resiliency Plan to be a stand-alone document.

Commissioner Oliver noted the Town needs to be extremely careful in any document, guidance or not. He said they should be clear and do their best to ensure the document is

not misinterpreted in the future, noting he did not believe they were to that point with the document being discussed.

Mr. McLeod suggested an executive summary document would be helpful to insert at the beginning of the plan, to better address the Town's overall goals in a condensed version. He explained the document would be a prelude to the plan and a general tool for the community to reference, noting the goal was to keep it around five pages in length.

Mayor Harker confirmed the direction moving forward was to ask Stewart to draft an executive summary document for the Board of Commissioners to review. She suggested reviewing the executive summary at a future work session meeting.

Mr. Clark asked for direction on the hydrology topic.

Commissioner Cooper said he agreed with Commissioner Hagle, suggesting it be a separate item from the CAMA Plan that could be addressed when funding was available.

Commissioner Oliver asked Mr. Garner if the Town had hydrology studies done in the past.

Mr. Garner confirmed there was a Capital Stormwater Improvement Plan done by Wooten in 2019.

Greg Meshaw, Town Engineer, shared it was a comprehensive stormwater plan that addressed areas of flooding concern identified by staff and the public. He shared the plan also identified future maintenance suggestions for the Town's drainage system.

Commissioner Oliver asked if the study completed in 2019 was considered during the development process of the CAMA Plan.

Mr. McLeod confirmed they did review it, and noted they try to review all adopted policies of a Town/City when preparing a new document.

Commissioner Oliver commented all hydrology factors should be considered in the CAMA Plan, not just the area of sea rise.

Mr. Todd suggested Commissioner Oliver work with Mr. Meshaw and possibly others to determine a scope of study for the hydrology portion.

Mayor Harker asked Mr. Grady if there was any timeframe, they needed to be aware of regarding adoption of the Comprehensive Land Use and CAMA Plan.

Mr. Grady confirmed the Town was in compliance, but an updated plan did need to be adopted in a reasonable timeframe. He noted the 160D updates and LDO rewrite would not start until the CAMA Plan was adopted.

Mayor Harker asked that the Board email Mr. Clark any questions or concerns they might have before Stewart starts drafting the executive summary document.

Mr. Clark asked for clarity on the Resiliency portion of the document, whether the Board wanted it removed or not.

Mayor Harker deemed a consensus to make the Resiliency Plan a stand-alone document.

Mr. Clark suggested placing the adoption of the Resiliency Plan on a future Board of Commissioners agenda.

## 2. Petitions (5) for Annexation- Blue Treasure, LLC

Commissioner Hagle made a motion to adopt a resolution instructing the Town Clerk to investigate the sufficiency of 5 petitions for annexation received from Blue Treasure, LLC. The address associated with the petitions are as follows: 185 Freedom Park Road, 187 Freedom Park Road, 189 Freedom Park Road, 243 Leonda Drive and 249 Leonda Drive.

The motion carried unanimously

### 3. BBA Events - Music in the Park, Parade & Holiday Activities

Rachel Johnson, Parks & Events Coordinator/Public Information Officer, shared the Beaufort Business Association (BBA) was seeking approval of an extension for their Music in the Park series. She shared the request would extend into November and the events would be hosted on Sundays: Nov. 6, 13, 20 and 27, from 2-5 p.m. She noted the original application had been updated to reflect the additional dates and it was attached as part of the meeting packet.

Ms. Johnson also shared the BBA had submitted an event application request for the following events: Christmas Parade, Santa House, Christmas Tree Lighting & Sing Along, and Buccaneer's New Year's Eve. She noted these events would be held on Town property and would utilize Town resources and staff. She shared the application listed specific dates and times of each event, and it was attached as part of the meeting packet.

Commissioner Terwilliger made a motion to approve all events as presented.

The motion carried unanimously.

Mr. Clark noted many event applications could be approved in-house by Town staff; if the Board desired a change in the process, the ordinances would need to be amended.

### 4. Oceanview Cemetery

Mr. Clark explained staff had been working to determine ways the Town could improve upon its maintenance and upkeep of Oceanview Cemetery. He shared a list of items that were identified as areas that need to be addressed. He asked Mark Eakes, Public Works Manager, to review costs associated with each item addressed.

Mr. Eakes discussed detailed information listed in the meeting packet and provided an explanation of the quotes received. Areas of concern mentioned are as follows: the cemetery wall, block work and sign placement, survey work, roadways within the cemetery and the addition of benches.

Mr. Clark also informed the Board that staff is evaluating the cemetery to determine the number of potential burial plots remaining, and they would report a number at a later time. He shared survey work had been completed and compared against a ground penetrating radar assessment that was conducted to identify un-marked graves. Mr. Clark noted Town staff does not recommend that they resume selling burial plots at this time. He shared at this point, staff was asking for direction on the scope of improvements to be completed, noting a budget amendment would be necessary if the Board desires to complete the recommended improvements.

Commissioner Hagle shared he believed the cemetery work was needed and recommended using stone in the driveway area.

Commissioner Hollinshed asked for clarification on the entry ways; she noted when you declare ownership, maintenance is necessary.

Commissioner Oliver asked if the money collected by the Town for cemetery plots was used for maintenance of the area.

Mr. Clark explained it was a source of revenue that the Town used to offset the cost of mowing grass and other maintenance items.

Commissioner Cooper noted this has been a topic of discussion for a while and suggested the community have input on the planned maintenance and beautification process. He asked how the funds for cemetery fees were utilized.

Mr. Clark confirmed the funds were used for perpetual maintenance of the cemetery.

Christi Wood shared in the prior fiscal year, the cemetery cost exceeded the revenue collected for cemetery plot sales

Commissioner Cooper confirmed that the cemetery was not closed, there was currently a moratorium on selling any plots. He noted he believe the community was misinformed on several issues concerning Oceanview Cemetery and suggested a meeting be held to clarify any confusion.

Commissioner Terwilliger agreed crushed stone in the driveway area would better fit the appearance of the cemetery. He suggested raising money for items such as the benches, as many families look to donate in honor of a loved one. He noted he would like to see what was left in the reserve funds before approving any expenditures associated with the cemetery improvements.

Mr. Clark noted there were not any dedicated reserve funds for the cemeteries, and any maintenance cost would come from the general fund balance.

Mayor Harker suggested moving forward to place the item on the next regular meeting agenda for discussion and consideration.

#### 5. Turner Street Speed Limits

Mr. Clark shared the Mayor had received several requests from citizens seeking a reduction of speed limit on Turner Street. He noted the issue had been discussed at a prior Board of Commissioners Meeting and asked that the Board revisit the topic.

Mayor Harker commented that vehicles accelerate in speed as they come off the Turner Street Bridge, heading into Town.

Commissioner Hollinshed shared it was her recollection that last time the Board submitted a request to lower the speed limit on Turner and Cedar Street, NCDOT determined that the reasonable speed limit should be 35 mph between Highway 70 and Cedar Street; once traffic crossed over Cedar Street the 25 mph limit was appropriate.

Commissioner Hagle suggested placing calming devices (like the ones on Campen Road) between Ann Street and Broad Street to temporarily slow down traffic.

Commissioner Cooper agreed that traffic speed increases as vehicles head into Town from the Turner Street Bridge.

Commissioner Hagle noted he thought 35 mph north of Cedar Street was an appropriate speed, as well the posted speed of 25 mph from Cedar to Front Street. He suggested more enforcement efforts to control speed in that area.

Mayor Harker noted another area of concern was on Front Street, where the sidewalk ends, and the State takes over maintenance of the road.

Commissioner Oliver made a motion for the Town to submit a request to NCDOT that would extend the 25 mph speed limit east on Front Street, picking up at the State owned portion of the road and extending all the way to Lennoxville.

The motion carried unanimously.

#### 6. Harbor & Waterways Master Plan

Mr. Clark noted the Board of Commissioners received a presentation from the Harbor & Waterways Master Plan Advisory Committee at the September 26, 2022, Work Session Meeting. As part of the presentation, the Board received a series of recommendations concerning various improvements to the Town's waterfront assets on Front Street. He shared that an electronic copy of the presentation and the final plan has been provided to the Board of Commissioners, and both of those documents can also be accessed on the Town's website. He asked the Board to initiate a conversation on the direction they wished to go in, based on the recommendations made by the Harbor & Waterways Master Plan Advisory Committee.

Commissioner Hagle shared he believed there were necessary maintenance items that needed to be addressed, such as the boardwalk and bulkhead. He also noted the possibility of replacing the dockage after the boardwalk and bulkhead were completed, and the importance of the fuel supply. He expressed his concerns about additional buildings going up that would block the waterfront area.

Commissioner Hollinshed agreed the focus should be on the boardwalk and bulkhead areas, suggesting the Board needs to settle on an overall plan that includes those maintenance items as a priority. She expressed the importance of applying for grants that would help fund the project.

Commissioner Oliver suggested the Board continue thinking of ways to move forward once the Town was out of the Docks contract in 2024. He recommended data be gathered concerning private public partnerships to educate the Board in that area. He suggested they challenge Chairman Doug Townsend to collect more data on the subject, using the remainder of the calendar year to collect the information.

Commissioner Terwilliger shared he thought the plan was well laid out and presented the Board with some interesting options. He agreed the private public partnership option should be analyzed further to better understand what it encompasses. He stressed the importance of determining how much money was available for this project in the coming years.

Commissioner Oliver made a motion to continue the lifespan of the Beaufort Harbor and Waterways Master Plan Advisory Committee to fulfill all goals established by the previous Board of Commissioners, specifically noting the last three items had not been completed.

The motion carried unanimously.

Commissioner Oliver made a motion asking the Town Manager to coordinate with the Beaufort Harbor and Waterways Master Plan Advisory Committee Chairman, to flush out and expand on data, allowing a better understanding of the demand of private public partnerships.

The motion carried unanimously.

## 7. Financial Notes

Christi Wood, Finance Director, shared the September Financial Report; a copy of the report is attached and incorporated in the meeting packet. She noted sales and use tax distribution for October was \$264,635. She shared the Town was on track to submit the audit report by November 30, 2022.

## Adjourn

Commissioner Hagle made a motion to adjourn the meeting at 6:42 p.m.

The motion carried unanimously.

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Sharon Harker, Mayor

DRAFT

1.

Elizabeth Lewis, Town Clerk



**Town of Beaufort, NC**

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**Board of Commissioners  
Regular Meeting  
6:00 PM Monday, November 14, 2022  
Train Depot, 614 Broad Street**

**AGENDA CATEGORY:** Items for Discussion and Consideration  
**SUBJECT:** Sewer Allocation Request  
Proposed Salt Wynd Preserve Subdivision, Phase 2

**BRIEF SUMMARY:**

Beaufort Agrihood Development, LLC is requesting that 6,900 gallons per day (gpd) of sewer capacity be allocated to the second phase of the residential subdivision to be known as Salt Wynd Preserve. The capacity being requested is for 36 lots with 29 of those lots being for 3-bedroom houses and the remaining 7 lots being for 4-bedroom houses.

The allocation request is being brought forth by Town staff subsequent to approval of the preliminary plat for Phase 2 by the Planning Board during the September 19, 2022 regular meeting. Town staff is also bringing the allocation request forward following to the approval of the annexation petition for phase 2 by the Board of Commissioners.

**REQUESTED ACTION:**

Consider approving the allocation of 6,900 gpd of sewer capacity to Beaufort Agrihood Development, LLC for the second phase of the proposed Salt Wynd Preserve residential subdivision.

**EXPECTED LENGTH OF PRESENTATION:**

5 minutes

**SUBMITTED BY:**

Greg Meshaw, PE, Town Engineer

**BUDGET AMENDMENT REQUIRED:**

No



**TOWN OF Beaufort**  
Public Services Department  
701 Front Street, Beaufort, NC 2816  
P.O. Box 390, Beaufort, NC 28516  
Phone: 252-728-2141

# WASTEWATER ALLOCATION REQUEST

The Town of Beaufort, in an effort to manage and maintain the sewer and water capacity for the Town, requires that this application be completed and submitted to the Town for consideration of a utility allocation. Review fee is due upon submittal of request.

**Wastewater Allocation Request Review Fee: \$50**

## SITE INFORMATION

Name of Project: Salt Wynd Preserve      Acreage of Property: 27.13  
County Tag Number: N/A      NC PIN: Multiple  
Address/Location: Live Oak St & Bertram Road

Zoning District: R20

Location Status:     Town Limits       Existing Out-of-Town Service Area  
                              Out-of-Town Service Approval/Agreement

## APPLICANT INFORMATION

Applicant: Beaufort Agrihood Development, LLC  
Mailing Address: 106D Professional Park Dr, Beaufort, NC 28516  
Phone Number: 207-449-8801      Fax: \_\_\_\_\_  
Contact Person: Beth Clifford  
Email Address: Beth@saltwynd.com

## PROPERTY OWNER INFORMATION

Name: See Appendix  
Mailing Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_      Fax: \_\_\_\_\_  
Email Address: \_\_\_\_\_

## FOR OFFICE USE ONLY

Date Received: \_\_\_\_\_      File Number/Name: \_\_\_\_\_

# PROJECT INFORMATION

Use:  New  Expanded  Change      Use Type:  Residential  Commercial

Proposed Use(s): R20      Existing Use(s): R20

Developer Name: Beaufort Agrihood Development, LLC

Mailing Address: 106D Professional Park Dr, Beaufort, NC 28516

Phone Number: 207-449-8801      Fax Number: \_\_\_\_\_

Email Address: Beth@saltwynd.com

# ALLOCATION REQUEST (See instructions on page 3 regarding use of Professional Engineer)

The following supplemental information is required:

- Complete development proposal for Priority Levels 1, 2 or 3 allocation request
- Preliminary plan or sketch plan for Priority Level 4 allocation request meeting requirements for site plans as established on the Town's Building Permit Application or as described for sketch plans by the Town's Subdivision Ordinance
- If a phasing schedule is proposed, include as an attachment

Residential:

Gross Acreage: 27.13

Single Family	# of Units	GPD per Unit	Total Requested GPD
1-2 Bedroom Units			
3 Bedroom Units	29	180	5,220
>3 Bedroom Units	7	240	1,680
<b>Total</b>	36	-----	6,900

Multi-Family	# of Units	GPD per Unit	Total Requested GPD
1-2 Bedroom Units			
3 Bedroom Units			
>3 Bedroom Units			
<b>Total</b>		-----	

Non-Residential: (Design Flow Guideline provided as Appendix A)\*

*\*If design flow deviates from the flow rates presented in Appendix A, provide supporting documentation/justification as an attachment in the form of 12 months of water bills demonstrating gallons per day utilized.*

Gross Acreage: \_\_\_\_\_

Use	Measurement Unit	# of Units	GPD per Unit	Total Requested GPD
<b>Total</b>			-----	

TOTAL REQUESTED GALLONS PER DAY: 6,900

# APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town of Beaufort to approve the subject Wastewater Allocation. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Beaufort, North Carolina, and will not be returned.

Beth Clifford  
Print Name

*Beth Clifford*  
Signature of Applicant

10/18/22  
Date

# ENGINEER'S CERTIFICATION

The allocation request data provided on page 2 of this form shall be provided by a Professional Engineer for all requests except single lot residential infill requests and commercial requests equal to or less than 360 gallons per day. The certification statement below shall be completed by the Professional Engineer providing the data.

I, Joshua L. Johnson, PE hereby attest that the total requested allocation and the values used to derive the total are to the best of my knowledge, accurate and complete having been prepared in accordance with the instructions of this form while also adhering to applicable State laws, regulations, and rules, concerning the determination of design daily wastewater flows from facilities served by public wastewater collection and treatment systems.

*J. Johnson* 10/18/22  
Signed and Dated Professional Engineer Seal



Stroud Engineering, PA  
Firm Name

107B Commerce St., Greenville NC 27858  
Address

252-756-9352  
Telephone No.

jjohnson@stroudengineer.com  
Email Address

**TOWN OF BEAUFORT OFFICE USE ONLY:**

Approved by:  Town Engineer  
 Board of Comissioners

Allocation approved: \_\_\_\_\_ gallons per day

Date of Approval: \_\_\_\_\_

Confirmation signature by:

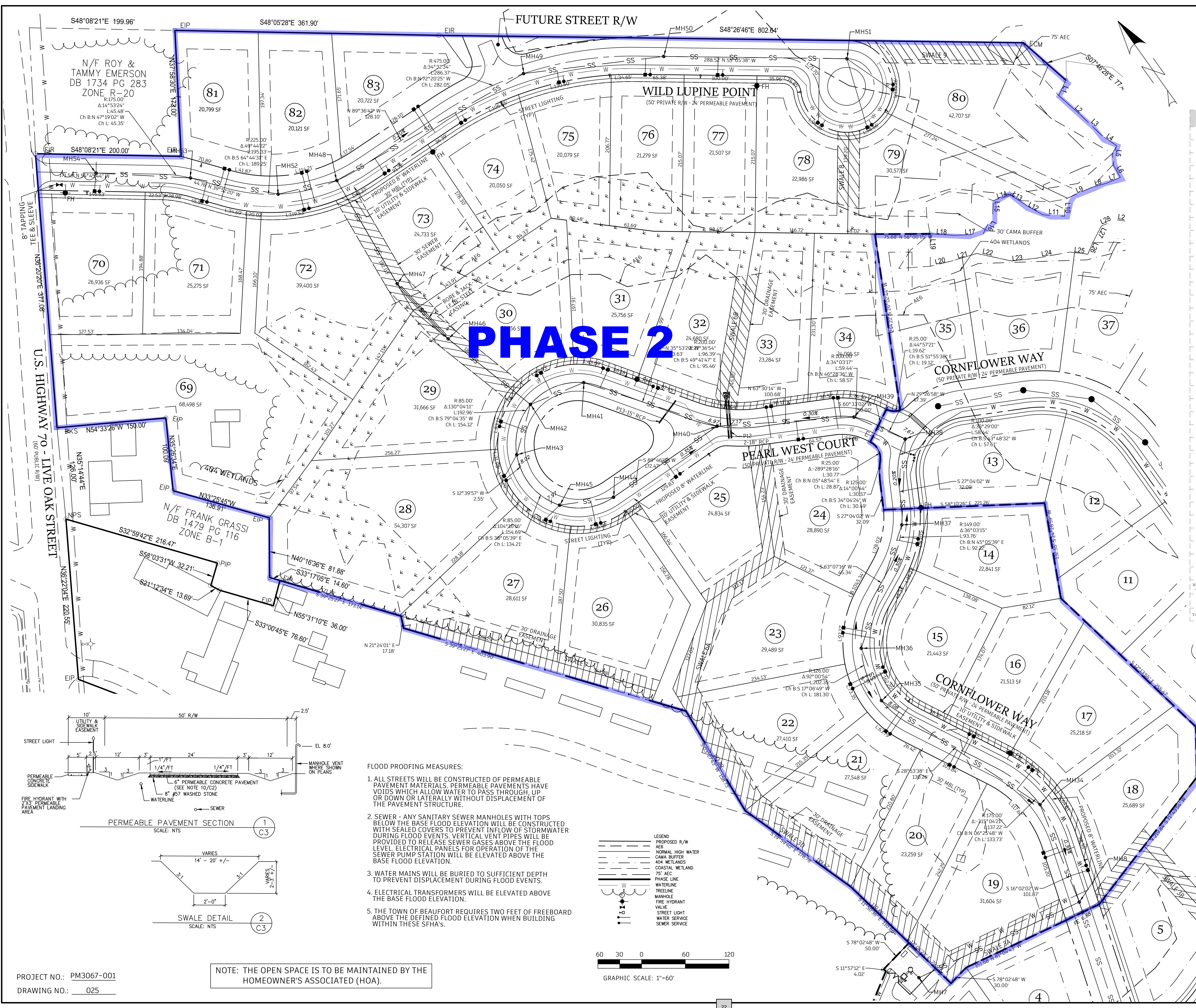
\_\_\_\_\_  
Town Manager

SITE CALCULATIONS

TOTAL AREA IN TOTAL TRACT TO BE SUBDIVIDED.....	1,181,806 SF
TOTAL AREA IN PARKS AND OTHER NON-RESIDENTIAL USE.....	41,473 SF
TOTAL MAXIMUM BUILT-UPON AREA.....	12 %
TOTAL NUMBER OF PARCELS CREATED.....	36
LINEAR FEET IN STREETS.....	2,919
ZONING.....	R-20

Lot	Gross Lot Area	Building Envelope	Natural Area (Minimum)	Built-upon Area (Maximum)	Building within Area of Environmental Concern	Area Flooded in
14	22,841	12,630	11,421	4,500	N/A	No
15	21,443	10,705	10,722	4,500	N/A	No
16	21,513	11,765	10,757	4,500	N/A	No
17	25,218	13,940	12,609	4,500	N/A	No
18	25,689	13,531	12,845	4,500	N/A	No
19	31,604	18,213	15,802	4,500	N/A	No
20	23,259	12,386	11,630	4,500	N/A	No
21	27,548	15,641	13,774	4,500	N/A	No
22	27,410	15,589	13,705	4,500	N/A	No
23	29,489	16,492	14,745	4,500	N/A	No
24	28,890	15,348	14,445	4,500	N/A	No
25	24,834	13,203	12,417	4,500	N/A	No
26	30,835	18,128	15,418	4,500	N/A	No
27	28,611	15,045	14,306	4,500	N/A	No
28	54,307	18,255	27,154	4,500	N/A	No
29	31,666	15,606	15,833	4,500	N/A	No
30	29,756	12,300	14,878	4,500	N/A	Yes
31	25,756	11,065	12,878	4,500	N/A	Yes
32	24,680	11,152	12,240	4,500	N/A	Yes
33	23,284	9,853	11,642	3,800	N/A	Yes
34	24,095	9,174	12,048	4,500	N/A	Yes
35	69,101	18,890	16,951	3,000	N/A	No
36	48,598	31,495	24,239	4,500	N/A	No
37	43,131	17,009	21,566	4,500	N/A	No
38	24,733	11,542	12,367	3,500	N/A	Yes
39	20,050	8,102	10,025	3,500	N/A	Yes
40	20,079	7,703	10,040	3,500	N/A	Yes
41	21,279	8,557	10,640	4,500	N/A	Yes
42	21,507	9,613	10,754	4,500	N/A	Yes
43	22,986	9,651	11,493	4,500	N/A	Yes
44	30,577	6,727	15,289	4,500	Yes	Yes
45	42,707	12,966	21,354	4,500	Yes	Yes
46	20,799	10,648	10,400	4,500	N/A	No
47	20,121	10,267	10,961	4,500	N/A	No
48	24,959	8,128	12,480	4,500	N/A	No
49	41,743	0	0	0	N/A	No
50	163,708	0	0	0	N/A	No
Total	1,181,806	488,178	141,800			

# PHASE 2



PRELIMINARY DRAWING  
DO NOT USE FOR CONSTRUCTION

LINWOOD E. STROUD, P.E.

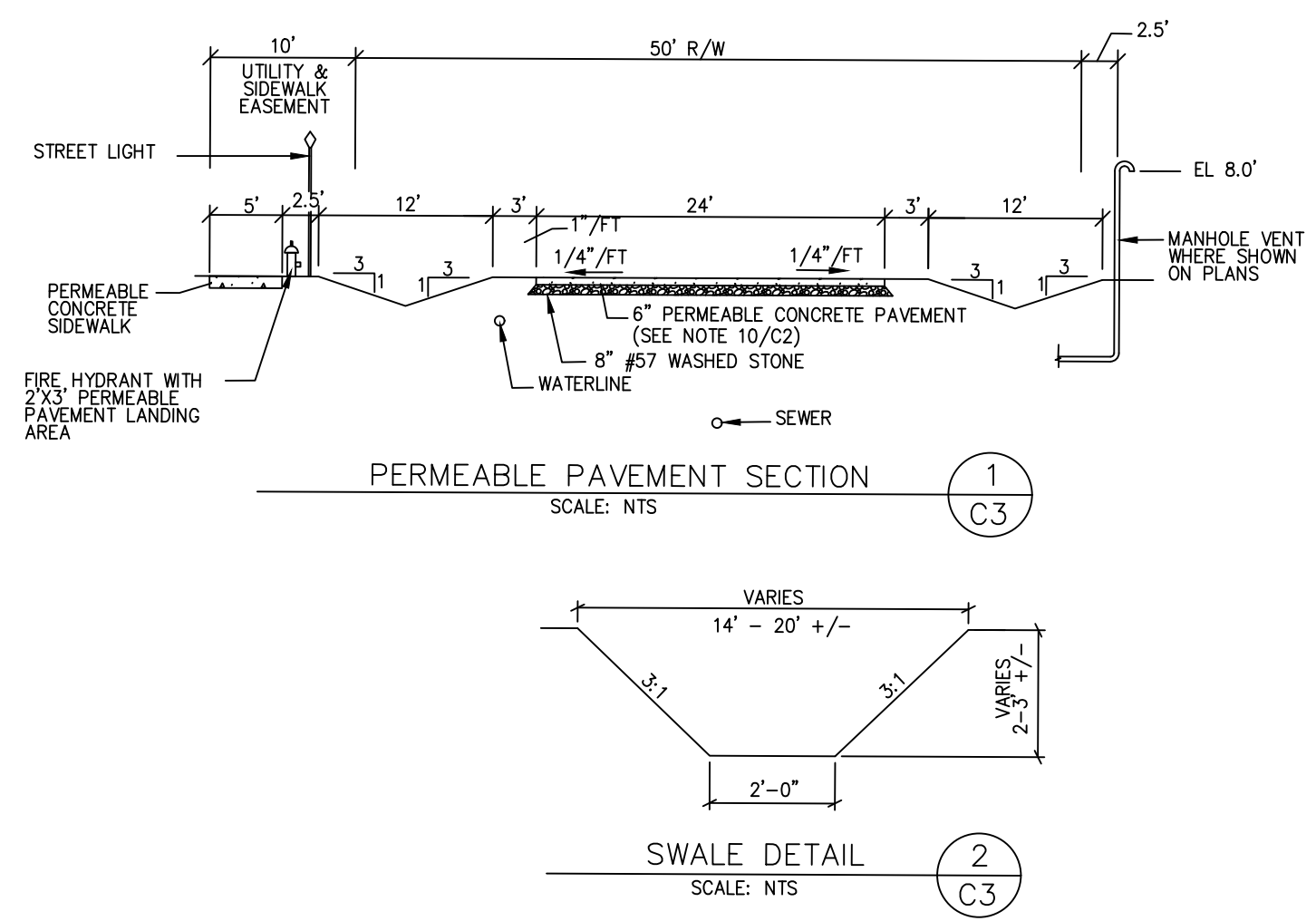
REVISIONS			
BY	NO.	DATE	DESCRIPTION

## PRELIMINARY PLAN SALT WYND PRESERVE PHASE TWO

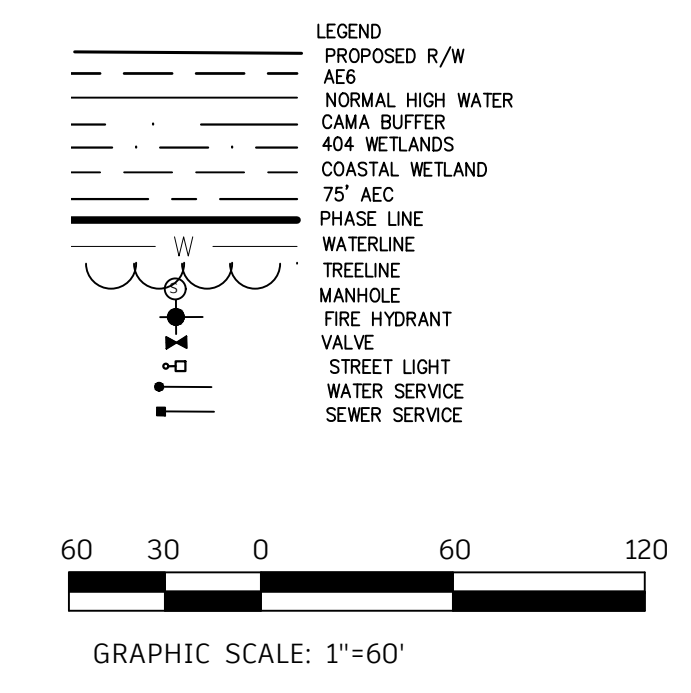
BEAUFORT CARTERET COUNTY NORTH CAROLINA  
OWNER: BEAUFORT AGRICULTURE DEVELOPMENT, LLC  
ADDRESS: 176 MINE LAKE CT SUITE 100 RALEIGH, NC 27615  
PHONE: 207-449-8801

DESIGNED: LES	DATE: 8/01/22
DRAWN: LHJ	SCALE: 1"=60'
APPROVED: LES	SHEET C3 OF 8

STROUD ENGINEERING, P.A.  
107-B COMMERCE STREET GREENVILLE, NC 27858  
(252) 756-9352 LICENSE NO. C-0647



- FLOOD PROOFING MEASURES:
1. ALL STREETS WILL BE CONSTRUCTED OF PERMEABLE PAVEMENT MATERIALS. PERMEABLE PAVEMENTS HAVE Voids WHICH ALLOW WATER TO PASS THROUGH, UP OR DOWN OR LATERALLY WITHOUT DISPLACEMENT OF THE PAVEMENT STRUCTURE.
  2. SEWER - ANY SANITARY SEWER MANHOLES WITH TOPS BELOW THE BASE FLOOD ELEVATION WILL BE CONSTRUCTED WITH SEALED COVERS TO PREVENT INFLOW OF STORMWATER DURING FLOOD EVENTS. VERTICAL VENT PIPES WILL BE PROVIDED TO RELEASE SEWER GASES ABOVE THE FLOOD LEVEL. ELECTRICAL PANELS FOR OPERATION OF THE SEWER PUMP STATION WILL BE ELEVATED ABOVE THE BASE FLOOD ELEVATION.
  3. WATER MAINS WILL BE BURIED TO SUFFICIENT DEPTH TO PREVENT DISPLACEMENT DURING FLOOD EVENTS.
  4. ELECTRICAL TRANSFORMERS WILL BE ELEVATED ABOVE THE BASE FLOOD ELEVATION.
  5. THE TOWN OF BEAUFORT REQUIRES TWO FEET OF FREEBOARD ABOVE THE DEFINED FLOOD ELEVATION WHEN BUILDING WITHIN THESE SFHA'S.



PROJECT NO.: PM3067-001  
DRAWING NO.: 025

NOTE: THE OPEN SPACE IS TO BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATED (HOA).



**Town of Beaufort, NC**

701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516  
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

**Board of Commissioners  
Regular Meeting  
6:00 PM – Monday, Nov. 14, 2022**

**AGENDA CATEGORY:** Items for Discussion and Consideration

**SUBJECT:**

Organizers Kazem Yahyapour and Steve Tulevech have submitted a request to host the 3<sup>rd</sup> Crystal Coast Half Booty Triathlon on Saturday, May 13, 2023. This event begins and ends in Beaufort with the 1.2 mile swim conducted at Gallants Channel, bikers than leave Beaufort headed over the bridge and return to Beaufort for the end of the 56 mile bike ride. The entire 13.1 mile run is in the Town of Beaufort.

This event has significant impacts on the entire region and requires an extraordinary amount of staffing and coordination between multiple jurisdictions.

Coordinators have reserved the Beaufort Historic Grounds to conduct an Expo and for registration beginning on Friday, May 12. They anticipate between 1,000-2,000 people in attendance throughout the day.

The request from the Town involves the closure of Craven Street and the associated parking spaces on Craven Street and Middle Lane to include the parking lot adjacent to Back Street from midnight on Saturday until 7 p.m. on Saturday. Craven Street can remain open until 10 a.m. unless Public Safety deems it safer to close it earlier.

Staff has internally reviewed notes from last year’s event and have shared some concerns.

Key Concerns as reported by staff:

- Event organization
- Lane closures – Hwy 70 lane closures require at least a one mile notice if a lane closure in a 55 mph zone with signage leading up to the closure. BPD reports that in the past event organizers did not provide proper signage and the burden fell to the Town to obtain and set-up required signage. The Town does not own signage of this type.
- Runners on Front Street & Lennoxville ran in the middle of the street creating traffic and safety concerns. These roads were not closed in the past and a running lane was not established by the event organizers. Many participants were under the misconception the lane was closed to traffic and would not move from the roadway to allow vehicles to pass. A lane can be established utilizing cones (these must be provided by the event). Aid stations should be set up on the running lane side of the road.
- Front & Craven Street: Event staff/volunteers were stopping traffic for long periods of time to allow runners to cross to the other side of the road as runners were running in both directions. An established running lane would alleviate this situation.
- Coordination among law enforcement jurisdictions has been an area of concern. Town staff called the safety coordination meeting in 2021 and requested all jurisdictions be present. At that time, staff became aware that the event organizers had not been in contact with several key jurisdictions who are needed to conduct this event throughout the county. Staff has reached out to receive feedback on safety concerns from these organizations.
- Assurances made to the BPD concerning volunteer staffing during the event did not come to fruition. The BPD reports that officers spent a large portion of time directing participants in the absence of event staff.
- BPD requests organizers be more involved in the planning of the event for proper safety.
- In past meetings with jurisdictions affected by the bike route, safety concerns have been expressed about the course to include hotspots in the area of Tuttle Grove Road at Steel Tank and 101.
- Staff compiled safety concerns after the 2019 event and shared them with event organizers in advance of the 2021 event. Some of the concerns were addressed and others were not.
- Staff is not against having the event in Beaufort. Staff wants to ensure all safety precautions are covered and that there is adequate coordination between the event organizers and all jurisdictions impacted.

Event organizers are aware that the off-duty rate for public safety not just in Beaufort but along the entire route is \$50/hour. Each jurisdiction will calculate their hours and send an invoice.

Impacted Jurisdictions and Entities with whom coordination MUST occur:

- Town of Beaufort Fire Department
- Town of Beaufort Police Department
- Beaufort EMS
- Morehead City Police
- NC Department of Transportation
- NC Highway Patrol
- Carteret County Sheriff's Office
- Newport Police Department
- US Coast Guard
- Marine Fisheries
- Atlantic Beach Lifeguards
- Havelock Police Department
- Tow Boat Us
- Atlantic Beach Fire Department

**REQUESTED ACTION:** Request approval or disapproval of the date. If approved, provide a directive to the event organizers to work with staff and all impacted entities to coordinate the details to meet public safety requirements and address all safety concerns.

**EXPECTED LENGTH OF PRESENTATION:** 10 minutes

**SUBMITTED BY:** Rachel Johnson, Events Coordinator on behalf of the Crystal Coast Triathlon

**BUDGET AMENDMENT REQUIRED:** No

Application amended via applicant on Oct. 17 to remove Request to Close Turner Street - RJ

Date Application Received: Oct. 1 2

Permit Number:



## APPLICATION FOR SPECIAL EVENT PERMIT

Please return completed application form with permit fee and paperwork to:

Events Coordinator, Town of Beaufort  
701 Front Street  
P.O. Box 390  
Beaufort, NC 28516  
Phone: (252) 728-2141 Email: [r.johnson@beaufortnc.org](mailto:r.johnson@beaufortnc.org)

Applications submitted late or incomplete may not receive approval and may not be issued a permit.

## EVENT BASICS

Event Name: Crystal Coast Half Booty Triathlon

Location of Event Site: \_\_\_\_\_

(If more than one site is being requested please be specific and list each one individually below)

Maritime Museum Gallants Channel Annex - Transition Area } Swim Course  
Middle Lane - Finish Line

Beaufort Historical Site / Turner Street - Post Race Party + Event Expo  
(May 12)

Run by: Crystal Coast Triathlon Board of Directors

Applicant (Organizer) Name: Kazem Yahyapour Contact # 919-280-9737

Day of Event Contact #: 919-280-9737 Email: yahyapour5@aol.com

Type of Event:

- Festival
- Parade
- 5K Race
- 10K Race

- Music Event
- Other Half Triathlon

Actual Event Date(s): May 13, 2023 Time of Event: 4:00am to 6:00pm

Set-Up Date: May 13, 2023 12:01 AM to 6:00am Start Time: 8:00am

Tear Down Date: May 13, 2023 End Time: 7:00pm

Estimated Attendance: 1,000 to 2,000 Admission Fees: Entry Free

Event Description:  
1.2 mile swim | 56 mile Bike | 13.1 mile run

**ORGANIZER/APPLICANT INFORMATION**

Name of Organization: Crystal coast Half Booty Triathlon

Primary Contact Person: Kazem Yahyapour

Mailing Address: 6100 Crescent Knoll Dr. Raleigh, NC 27614

Email: yahyapour5@aol.com

Daytime Phone #: 919-280-9737 Cell Phone #: 919-280-9737

Alternate Contact Person: Steve Tulavech Phone #: 252-241-3891

Is your group a non-profit organization? Yes if yes, please provide documentation with your application.

**SITE PLAN**

Site Plan Attached

- Yes
- No

(If you need help, please set up a meeting with the Town of Beaufort's Events Coordinator)

# OTHER EVENT DETAILS

Please provide the name and contact information of all outside companies who are providing services during your event. IE: Tent Rentals, Inflatable Rentals, Port-A-Pottie Rentals, etc.

Grand Station Rentals  
Blu Site Solutions

Will there be canon/re-enactment fire during your event? \_\_\_\_\_ If yes, please coordinate with the Beaufort Fire Department for safety procedures.

# ALCOHOL

Alcohol at the event YES  NO \_\_\_\_\_ Attach all required paperwork. Applicant is responsible for obtaining applicable ABC License and Liquor Liability Insurance. Applicant must provide a clearly marked and contained area for alcohol consumption and hire two Town of Beaufort police officers at a rate of \$50 per hour for the duration. (The Police Chief will review the application for exceptions.) All local, state and Federal laws must be adhered to.

*I/we have read, understand and will comply with the rules outlined by the Town of Beaufort in the Town Code of Ordinances as well as in the Event Procedures.*

X Steven [Signature] (Applicant's Signature)

# ROAD CLOSURES

Does your event require a road closure?  YES \_\_\_\_\_ NO

Please provide specifics below:

Road	Set-Up Time	Event Start Time	Finish Time	Tear Down Time
Craven Street		10:00am	6:00pm	6:00pm to 7:00pm
Middle Lane	12:01am	12:00am	6:00pm	6:00pm to 7:00pm
			:00pm	2pm

*If a road closure has any impact on area businesses and/or residents, the applicant will be required to inform all residents and/or businesses in the area of the road closure, by letter or hand-delivered flyer at least 14 days in advance of the event, of the particulars of the approved temporary road closure and any detour route available.*

**Emergency Vehicle Access Requirements:** A road may be closed to regular traffic during an event, but an unobstructed fire lane must be left open at all times for emergency vehicles.

A detailed site plan must be included with your event application. The following, should they be relevant, must be included in your Site Plan.

- Location of all tents and temporary structures
- Location of requested barricades and road closures
- Emergency exits
- Fire extinguishers, propane storage
- Location of command post, medical & first aid station, emergency vehicle access points and all exits and entrances (both emergency and for the public)
- Fencing, staging, bleachers, stages, inflatables, etc.
- Food/refreshment tent vendors, refreshment tents
- Food Trucks
- Location of Restrooms
- 5K/10K race routes

If the Site Plan is not submitted with the event application, the deadline is 45 days before the event, otherwise a permit will not be issued.

## PARKS & PARKING LOTS REQUESTED

Please mark all that apply:

- East Parking Lot
- West Parking Lot
- Craven Street Parking
- Middle Lane
- John Newton Park
- Lynn Eury Park
- Grayden Paul Park
- Topsail Marine Park
- Other Please list: \_\_\_\_\_

**Specific Requirements:** (Extra trash cans/recycling/electrical etc.) Please be specific and include each item on the Site Plan for the desired location. Please note extra charges may apply in accordance to the fee schedule. (Trash/Recycling Carts: \$10 each, Electricity: \$50)

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### PARKING/PARKING LOTS

Parking lots required for Event set-up: (Please mark on the site map if applicable) (Please note charges may apply. The rate is \$18 per day per space in the East & West parking lots and \$9 per on street parking space per day for special event closure during Pay-To-Park season).

Please list all parking lots and spaces you are requesting. Spaces are numbered so please be specific. Also please note that parking space closures MUST be approved by the Board of Commissioners. Event organizers are not permitted to acquire additional spaces without Town permission prior to an event.

Please list off-site Parking Location for Vendors & Event Staff: A letter of permission is required for the use of private property per the event procedures. Please include this with your event application.

Bicycle Parking: Yes \_\_\_\_\_ No X

Additional Handicap Parking: Yes \_\_\_\_\_ No X Location: \_\_\_\_\_

Event Parking: (Please outline your plan for day of parking for event attendees. Please include parking lot locations and the name/contact information for any shuttle/trolley service):

Satellite Parking at Beaufort Middle School and  
Ace Hardware

### PARADE/WALK INFORMATION

Parade Assembly Area: \_\_\_\_\_ Time: \_\_\_\_\_

Parade Dismissal Area: \_\_\_\_\_ Time: \_\_\_\_\_

Parade Start Time: \_\_\_\_\_

### EMERGENCY MANAGEMENT

Route Map Attached: X YES \_\_\_\_\_ NO (Please note a route map is required)

Designated Emergency personal/liaison (onsite): Kaz Yahyapour

Cell #: 919-280-9737 Other Contact: \_\_\_\_\_

How will your event staff react to severe weather?

Event will be cancelled if severe weather predicted

How will you alert visitors to the event to evacuate the site? (If multiple sites are being requested, a plan must be submitted for each location)

Announcements made on site at both Transition Area and Finish line / Post Race Party to evacuate the area.

**RISK ASSESSMENT**

It is important for Event Organizers to identify risks and hazards associated with their event and know how to prevent these risks. Please identify possible risks for your event and list below (weather, food, fire, etc.) Please provide details.

Risk of severe weather - actions as above

What training will you provide to your volunteers/staff/participants regarding emergencies?

All will know in advance that they are to seek shelter in the event of severe weather.

**TENTS**

Will you have tents at your event?  YES  NO

Please list the tent sizes: 40' x 100'

If your event includes tents, you must make arrangements with the Beaufort Fire Department for a tent permit. There is a \$50 fee. Please contact Tammy Turek at (252) 728-4325 to make arrangements. The Tent Permit Application and a list of requirements are available online at [www.beaufortnc.org](http://www.beaufortnc.org).

**FOOD**

Will there be food served at your event?  YES  NO

If yes, please provide a detailed list of all food vendors. Papa John's Pizza for all participants

If yes, have you contacted the Carteret County Health Department to set up inspections?  YES  NO

All food vendors must have proper licensing, inspections, etc.

# VENDORS

Will there be vendors selling items at your event? \_\_\_\_\_ Yes  No

Please note vendors are only permitted to sell during the event hours listed on this application. Any vendor selling before or after the listed hours is in violation and subject to being shut-down.

All vendors must have proper certifications and licenses. They must display the required state sales and use tax information and the event organizer must keep all of this information on file pursuant to North Carolina State laws.

# CHECKLIST

Please submit the following documents with your event application. Once all forms (if applicable) are received and the event is approved an Event Permit will be issued.

- Tent Permit
- Detailed Site Plan
- Detailed Route Map (Parade/5K/10K)
- Map of Road Closures
- ABC Permit
- Health Inspection Documentation
- Insurance
- Non-profit documentation
- Private property parking permission letter
- List of food vendors
- List of vendors
- Application Fee
- Application Signature

I/We the event organizer Kaz Yahyapour / Steve Tulavich on behalf of Crystal Coast Half Bicy Marathon the party requesting the use of the Town of Beaufort facilities noted in the above application do hereby hold and save harmless and agree to indemnify the Town of Beaufort and its elected officials, directors, officers, employees, servants, agents, contractors and their respective heirs, executors, successors with respect to any and all liability, actions, debts, suits, demands, costs, damages and expenses whatsoever arising wither directly or indirectly as a result of the use of the Town of Beaufort's facilities, park, road or other and in accordance with the provisions contained in this policy. I/We have read and understand this application, the event procedures and the requirements placed upon this applicant and organization. I agree to abide by the Town of Beaufort rules, regulations and ordinances.

Applicant's Signature Steven M. [Signature] Date 10/15/2022

**Internal Use Only**  
 Permission is granted to the applicant and/or sponsoring organization to use the streets/facilities/parks as listed in the application for the special event described.  
 Permit Issue Date: \_\_\_\_\_  
 Authorized Signature: \_\_\_\_\_

Insurance Certificate: Yes \_\_\_\_\_ No \_\_\_\_\_  
 Permit Fee: Yes \_\_\_\_\_ No \_\_\_\_\_  
 BOC Approval Date: \_\_\_\_\_  
 Police Chief Approval: \_\_\_\_\_  
 Fire Chief Approval: \_\_\_\_\_



**Town of Beaufort, NC**

701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516  
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

**Board of Commissioners  
Regular Meeting  
6:00 PM Monday, November 14, 2022  
Train Depot, 614 Broad Street**

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**AGENDA CATEGORY:** Items for Discussion and Consideration

**SUBJECT:** Oceanview Cemetery

**REQUESTED ACTION:**

Continued discussion on Oceanview Cemetery improvements. Consider the recommendations included with this cover sheet and direct staff concerning the scope of work to be completed. A budget amendment will be necessary if the Board desires to complete these improvements.

**EXPECTED LENGTH OF PRESENTATION:**

5 Minutes

**SUBMITTED BY:**

Todd Clark, Town Manager

**BUDGET AMENDMENT REQUIRED:**

Not at this time.

# Oceanview Cemetery

**Cemetery Wall** – pressure wash, patch misc. cracking and spalling then prime and paint

1. Michaels Pro Painting – 6,000
2. JV Painting – 15,500
3. JPL Painting – 25,000

**Block Work and Sign Placement** – fill in gate opening on south side, move metal sign to southwest entrance, fix columns to match height at both gates, fill in gate openings, fix wall on northeast side, and misc. patching.

1. Robert George – 8,240

**Surveyor** – provide layout of purposed gravesites, locate existing gravesites within the areas of concern that are additional to the GPRS map. Provide control points at end of each layout for staff to layout when burial is needed.

1. 1,500 plus 500 changes for additional field work.

**Roadways within cemetery** – provide grading and then paving of roughly 1700 linear feet of driveways inside cemetery both east and west sides, or option for stone only.

1. M&J Trucking – 43,850 for grading and paving of roads at 12 foot wide.
2. Public Works – 15,500 to 16,000 for stone only base approximately 4” thick and 12’ wide. Hauled in and graded. (Including rental of small grader and me plus 2 people labor for 2-3 days) (Reason for the 2–3-day window is because not all the trucks can dump properly in roadway due to the height of their beds in relation to the tree canopy. They will have to stockpile some of them material then we will have to move it first with backhoe or skid steer then grade it out with motor grader)

**Benches** – install poly wood benches to match others in town. This is to include a concrete base under the bench to provide stability and a anchoring point.

1. Public Works – 1350 per bench includes bench 900 plus labor, material for forming, accessories for anchoring.



**Town of Beaufort, NC**

701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516  
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

**Board of Commissioners  
Regular Meeting  
6:00 PM Monday, November 14, 2022  
Train Depot, 614 Broad Street**

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**AGENDA CATEGORY:** Items of Discussion & Consideration  
**SUBJECT:** Voluntary Annexation (Blue Treasure, LLC); Certificate of Sufficiency & Fixing a Public Hearing Date

**REQUESTED ACTION:**

Upon the Town Clerk presenting the Certificate of Sufficiency regarding the attached petitions for voluntary annexation, a Public Hearing date needs to be set on the question of annexation.

Petitions for annexation include the following parcels: 185 Freedom Park Road; 187 Freedom Park Road; 189 Freedom Park Road; 243 Leonda Drive; and 249 Leonda Drive.

Recommended Public Hearing Date: December 12, 2022 (BOC Regular Meeting)

**EXPECTED LENGTH OF PRESENTATION:**

10 Minutes

**SUBMITTED BY:**

Elizabeth Lewis, Town Clerk



## CERTIFICATE OF SUFFICIENCY

To the Board of Commissioners of the Town of Beaufort of Carteret County, North Carolina:

I, Elizabeth Lewis, Town of Beaufort Clerk, do hereby certify that I have investigated the attached petitions and hereby make the following findings:

- a) The petitions for Voluntary Annexation of the following parcels:  
185 Freedom Park Road, 187 Freedom Park Road, 189 Freedom Park Road, 243 Leonda Drive and 249 Leonda Drive; Totaling 0.992 acres, contains an adequate boundary of requested area to be annexed, via the survey map.
- b) The area described in the petitions is contiguous to the Town of Beaufort primary corporate limits, as defined by G.S. 160A- 31.
- c) The petitions are signed by the owners of referenced parcels above and include addresses of all owners of real property lying in the area described therein.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Beaufort of Carteret County, this 14<sup>th</sup> day of November 2022.

(SEAL)

---

Elizabeth Lewis  
Town Clerk



Town of Beaufort NC  
701 Front St. • P.O. Box 390 • Beaufort, N.C. 28516  
252-728-2141 • 252-728-3982 fax  
[www.beaufortnc.org](http://www.beaufortnc.org)

**APPLICATION FOR VOLUNTARY ANNEXATION REQUEST**

**Instructions:** Please complete the form below and include all required attachments, including the **\$350 application fee (to The Town of Beaufort)** and return to the Planning Department, Town Hall, 701 Front St., PO Box 390, Beaufort, NC, 28516. Incomplete applications will not be processed and returned to the applicant. Please contact Town Hall at (252) 728-2141 with any questions.

Applicant Name: Blue Treasure, LLC

Applicant Address: PO BOX 3557 CARY NC 27519

Phone Number: 9194813000 Email: karl@prestondev.com

Property Owner Name: Blue Treasure, LLC

Address of Property: \_\_\_\_\_

Phone Number: 919 481 3000 Email: karl@prestondev.com

**PROPERTY INFORMATION**

Property Address: 185 Freedom Park Road Current Zoning: PUD

15 Digit Pin: 730620802301000 Size of Property (Square Feet or Acres): .144 acres

Is the property Contiguous to the City Limits:  Yes  No;

If Not Contiguous please indicate how many miles it is to the City Limits: \_\_\_\_\_

Current Use of Property:

- Residential
- Commercial
- Vacant
- Other: \_\_\_\_\_

*Karl Smith* Applicant Signature Date: 9-20-22

OFFICE USE ONLY

Revised 7/22

Received by: \_\_\_\_\_ Reviewed for Completeness By: \_\_\_\_\_

Date: \_\_\_\_\_ Date Deemed Complete and Accepted: \_\_\_\_\_

Date: \_\_\_\_\_

Property Owner Signature (if different than above)

**A fee of \$350 to the Town of Beaufort must accompany this application.**

**REQUIRED ATTACHMENTS FOR A VOLUNTARY ANNEXATION REQUEST**

**Please provide the following as attachments to the voluntary annexation request form:**

1. Copy of the Annexation Survey (suitable for recording)
2. Copy of all the deeds for the area to be annexed to verify ownership
3. A TYPED list of adjoining property owners
4. Carteret County Tax Parcel Card (Included should be parcel number and tax value)
5. Anticipated impact to city services including estimated gallons of water/sewer per day



FILE # 1567401

NORTH CAROLINA, CARTERET COUNTY  
This instrument and this certificate are duly filed at  
the date and time and in the Book and Page shown  
on the first page hereof.

Jerry T. Hardesty, Register of Deeds  
By Kenneth L. Eagle  
Asst. Deputy, Register of Deeds

FOR REGISTRATION REGISTER OF DEEDS  
Jerry T. Hardesty  
Carteret County, NC  
February 21, 2017 12:42:46 PM  
TRAVIS DEED 5 P  
FEE: \$26.00  
NC REVENUE STAMP: \$500.00  
FILE # 1567401

Type Of Instrument: **General Warranty Deed**  
Prepared By and Mail To:  **Kenneth L. Eagle, 2235 Gateway Access Point, Suite 201, Raleigh, NC 27607**

The real property conveyed by this Deed does not include the primary residence of the Grantor

Excise Tax ~~\$136.00~~ **\$500.00** Tax Parcel Nos. 7306.20.80.2301000 and 7306.20.80.2363000  
(ST)

**NORTH CAROLINA GENERAL WARRANTY DEED AND NON-WARRANTY DEED**

THIS DEED is made this 21<sup>st</sup> day of February, 2017, by and between:

GRANTOR: Geneva C. Conway Mitchell (also known as Carol Conway Mitchell), an unmarried person  
Address: 110 Heron Drive, Havelock, NC 28532

GRANTEE: Blue Treasure LLC,  
a North Carolina limited liability company  
Address: P. O. Box 3557, Cary, NC 27519

(The designation of Grantor and Grantee as used herein shall include said parties, their heirs, successors and assigns, and shall include the singular, plural, masculine, feminine or neuter as required by the context.)

**WITNESSETH:**

THE GRANTOR, for a valuable consideration paid by the Grantee, the sufficiency and receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee, in fee simple, that certain real property, lying and being near the Town of Beaufort, in Carteret County, North Carolina, and being more particularly described as follows (referred to herein as the "Property"):

**SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED BY REFERENCE**

The Property was acquired by Grantor by instruments recorded in the office of the Register of Deeds for Carteret County, North Carolina in Book 608, Page 199, Book 608, Page 200, and Book 945, Page 379.

TO HAVE AND TO HOLD the Property and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

AND THE GRANTOR covenants with the Grantee that Grantor is seized of the Property in fee simple, has the right to convey same in fee simple, that the title thereto is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, except for the following exceptions:

- 1. Ad valorem property taxes on the Property for 2017 and subsequent years.
- 2. All rights of way, easements, and other matters of record in the office of the Register of Deeds for Carteret County, North Carolina that affect the Property.

**BOOK 1567 PAGE 401**

(5)

Grantor also conveys to Grantee, without any warranties of title, any and all right, title, and interest that Grantor may own or have in and to the properties described in **Exhibit B** attached hereto and incorporated by reference.

IN WITNESS WHEREOF, Grantor has executed this Deed on the day and year first above-written.

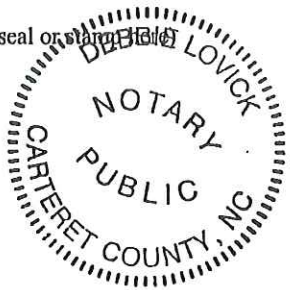
Geneva C. Conway Mitchell  
Geneva C. Conway Mitchell

North Carolina, Carteret County

I certify that the following persons personally appeared before me this day and acknowledged to me that he or she executed the foregoing document: Geneva C. Conway Mitchell.

Date: February 21, 2017

(affix seal or stamp here)



Debbie Lovick  
Notary Public  
Printed/Typed Name: Debbie Lovick  
My Commission Expires: 6/15/18

**BOOK** 1567 **PAGE** 401

**EXHIBIT A  
TO  
GENERAL WARRANTY DEED**

**PROPERTY DESCRIPTION**

LYING AND BEING near the Town of Beaufort, in Carteret County, North Carolina, and near the right of way of Leonda Drive (North Carolina Secondary Road No. 1412, formerly known as Russell Drive), and being more particularly described as follows:

**Tract 1:**

BEGINNING at an iron stake in the center line of the old Beaufort-Lennoxville (Dick Chadwick) road, being the southeast corner of H. C. Jones and the northeast corner of I. E. Ramsey Tract; and runs with the center line of the road North 82 degrees 30 minutes West 50 feet to an iron pipe; thence North 15 degrees 30 minutes East 100 feet to an iron pipe; thence South 82 degrees 30 minutes East 50 feet to an iron pipe; thence South 15 degrees 30 minutes West 100 feet to the Beginning.

(The foregoing description was copied from the deed recorded in the office of the Register of Deeds for Carteret County, North Carolina in Book 608, Page 199.)

**Tract 2:**

BEGINNING at the southeast corner of the Stephen F. Mitchell Jr. lot, formerly the H. C. Jones southeast corner, said point being North 80 degrees 48 minutes West 150.0 feet from the northwest corner of Russell Drive; thence North 16 degrees 30 minutes East 150.00 feet; thence South 80 degrees 48 minutes East 50.0 feet; thence South 16 degrees 30 minutes West 150.0 feet; thence North 80 degrees 48 minutes West 50.0 feet to the point of Beginning.

ALSO, a right of ingress and egress to and from the above property described as follows: Beginning at the northwest corner of Russell Drive and running North 80 degrees 48 minutes West 150.0 feet (incorrectly stated as 15.0 feet in the deed recorded in Book 945, Page 379, but correctly stated in the deed recorded in Book 608, Page 200); thence South 16 degrees 30 minutes West 20.0 feet; thence South 80 degrees 48 minutes East 150.0 feet to the west line of Russell Drive; thence with said road line North 16 degrees 30 minutes East 20.0 feet to the point of Beginning.

(The foregoing description was copied from the deed recorded in the office of the Register of Deeds for Carteret County, North Carolina in Book 945, Page 379.)

**BOOK 1567 PAGE 401**

**EXHIBIT B  
TO  
GENERAL WARRANTY DEED**

**PROPERTY CONVEYED WITHOUT WARRANTIES**

LYING AND BEING near the Town of Beaufort in Carteret County, North Carolina, and near the right of way of Leonda Drive (North Carolina Secondary Road No. 1412, formerly known as Russell Drive), and being more particularly described as follows (all recording references are to the office of the Register of Deeds for Carteret County, North Carolina):

**Tract One:**

BEGINNING at a point on the northern margin of a "20' Road", said point being located North 87 degrees 44 minutes 14 seconds West 149.38 feet from a point located at the northwest corner of the intersection of the rights of way of Leonda Drive (North Carolina Secondary Road 1412) and Freedom Park Road and at the southeast corner of property owned now or formerly by Blue Treasure LLC (see deed recorded in Book 1262, Page 311), and running from said point of beginning along the following lines:

North 11 degrees 01 minutes 54 seconds East 13.54 feet to an existing iron pipe;

North 87 degrees 52 minutes 39 seconds West 49.91 feet to an existing iron pipe in the line of property owned now or formerly by Blue Treasure LLC (see deeds recorded in Book 1241, Page 315 and Book 1241, Page 316);

then with said property owned now or formerly by Blue Treasure LLC, the following three (3) lines:

(1) North 09 degrees 01 minutes 00 seconds East 99.01 feet to a point;

(2) South 89 degrees 00 minutes 24 seconds East 50.00 feet to an existing iron pipe; and

(3) North 08 degrees 58 minutes 58 seconds East 37.97 feet to a calculated point, a common corner with other property owned now or formerly by Blue Treasure LLC (see deed recorded in Book 1256, Page 198);

then with said property owned now or formerly by Blue Treasure LLC, South 87 degrees 15 minutes 35 seconds East 49.12 feet to a point, a common corner with the northwest corner of property owned now or formerly by Conway;

then with the western boundary line of said property owned now or formerly by Conway, South 09 degrees 08 minutes 06 seconds West 151.08 feet to a point on the northern margin of the 20' Access Road;

then with the northern margin of the 20' Road, North 87 degrees 44 minutes 14 seconds West 49.28 feet to the point of BEGINNING, the foregoing description being according to a survey by Miles O. McCall, III, Professional Land Surveyor, dated 11-04-08, last revised on 03/18/10, and sealed on 3-19-10, and entitled "Survey Of Properties Of Conway, Mitchell & Blue Treasure, LLC" (Atlantic Coast Survey, PLLC Project No. 10-1021), referred to in this Exhibit B as the "Survey".

**(NOTES:**

- The property referenced in the foregoing description as owned now or formerly by Conway, which adjoins the eastern boundary of the Property described in the foregoing description, was acquired from Conway by Blue Treasure LLC by deed recorded in File #1347411.

- The 20' Road referred to in the foregoing description is referred to in the property description of Tract 1 in Exhibit A of this Deed as old Beaufort-Lennoxville (Dick Chadwick) road and was referred to in the foregoing deed from Conway to Blue Treasure LLC recorded in File #1347411 as Conway Avenue. This 20' Road is described in Tract Three of this Exhibit B.)

**BOOK 1567 PAGE 401**

**Tract Two:**

BEGINNING at a point on the northern boundary of a "20' Road" shown on the Survey, said point being located North 87 degrees 44 minutes 14 seconds West 100.10 feet from the northwest corner of the intersection of Leonda Drive and Freedom Park Road, said beginning point being a common corner with the southeast corner of Tract One described in this Exhibit B), then running with the eastern boundary line of Tract One described in this Exhibit B, North 09 degrees 08 minutes 06 seconds East 151.08 feet to a point, a common corner with the northeast corner of Tract One described in this Exhibit B and in the boundary line of property owned now or formerly by Blue Treasure LLC (see deed recorded in Book 1256, Page 198); then with the boundary line of said property of Blue Treasure LLC, South 87 degrees 15 minutes 35 seconds East 49.94 feet to a point at the northwest corner of other property owned now or formerly by Blue Treasure LLC (see deed recorded in Book 1262, Page 311); then the western boundary line of said property of Blue Treasure LLC, South 09 degrees 08 minutes 06 seconds West 150.66 feet to a point in the northern boundary of said 20' Road; then with the northern boundary of said 20' Road, North 87 degrees 44 minutes 14 seconds West 49.99 feet to the point of Beginning.

(The foregoing property was acquired by Blue Treasure LLC from Conway by deed recorded in File #1347411 and the bearings and distances in the description are taken from the Survey.)

**Tract Three:**

BEGINNING at a point on the western margin of the right of way of Leonda Drive, at the northwest corner of the intersection of Leonda Drive and Freedom Park Road, said point being located 1.8 feet, more or less, southwest of an existing right of way monument as shown on the Survey, and said point being a common corner with the southeast corner of an approximately 150 feet x 50 feet lot conveyed to Blue Treasure LLC by deed recorded in Book 1262, Page 311; then running with the western margin of the right of way of Leonda Drive, South 09 degrees 25 minutes 53 seconds West 20.16 feet to an existing iron pipe (a "Control Corner" on the Survey); then leaving the western margin of the right of way of Leonda Drive, and running North 87 degrees 44 minutes 14 seconds West 149.95 feet to an existing iron pipe; then North 11 degrees 01 minute 54 seconds East 20.24 feet to a point in the southern boundary line of the property described in Tract One of this Exhibit B); then with the southern boundary lines, first of Tract One described in this Exhibit B for 49.28 feet, then of Tract Two described in this Exhibit B for 49.99 feet, and then with the property acquired by Blue Treasure LLC by the deed recorded in Book 1262, Page 311 for 50.11 feet, South 87 degrees 44 minutes 14 seconds East a total distance of 149.38 feet to the point of Beginning, and being the property shown on the Survey as "20' Road".

**Tract Four:**

All right, title, and interest that Grantor owns in and to those properties acquired by Blue Treasure LLC by the following deeds: Book 1241, Page 315 and Book 1241, Page 316 (Jones Property), Book 1256, Page 198 (Pace & Wysocking Property); and by Certificate Of Title recorded in File #1340007 (Arrington Property).

**BOOK 1567 PAGE 401**

2023 56,375 MKT BLUE TREASURE LLC  
 PID R 7306.20.80.2301000 CARD 001  
 PY Val USE 56,375 LAND 001  
 PO BOX 3557

DEF BLDG 000  
 LISTER 5/16/2014 VWD CARY NC 27519  
 .114 ACRES XFOB 000  
 TWP BEAUFORT CITY FIRE BEAUFORT FIRE  
 RESCUE BEAUFORT RESCUE OTHER  
 LOT BLK PL BK/PG PLAT  
 ADDRESS 0000000  
 NBHD 11004800 USE 000800 VACANT DEED 1567 401 AICUZ  
 PRINTED 8/17/2022 BY ALLENW  
 LEGAL: LOT OFF LEONDA DR/FREEDOM PARK  
 SALES BUILDING

PERMITS  
 IN Q RC M V Sale Date Sale Price Number Type Description Issued  
 Schd Complt Revisit Act Complt Amount  
 WD V 0A V 2/21/2017 250,000

LAND  
 Seq Zone Code Use Description  
 Front Depth Back FT #Units UT  
 Adj4 Fadj Dadj Nbhd Adj Eff Rate UTPrice Adj1 Adj2 Adj3  
 Value  
 1 114801 RESIDENTIAL LOT  
 50 100 60 50.000 FF 1,100.000 1.00 1.00 1.00  
 1.00 1.25 .82 1.000 1,127.500 56,375



**Town of Beaufort NC**  
701 Front St. • P.O. Box 390 • Beaufort, N.C. 28516  
252-728-2141 • 252-728-3982 fax  
[www.beaufortnc.org](http://www.beaufortnc.org)

**APPLICATION FOR VOLUNTARY ANNEXATION REQUEST**

**Instructions:** Please complete the form below and include all required attachments, including the **\$350 application fee (to The Town of Beaufort)** and return to the Planning Department, Town Hall, 701 Front St., PO Box 390, Beaufort, NC, 28516. Incomplete applications will not be processed and returned to the applicant. Please contact Town Hall at (252) 728-2141 with any questions.

Applicant Name: Blue Treasure, LLC  
Applicant Address: PO BOX 3557 CARY NC 27519  
Phone Number: 9194813000 Email: karl@prestondev.com

Property Owner Name: Blue Treasure, LLC  
Address of Property: \_\_\_\_\_  
Phone Number: 919 481 3000 Email: karl@prestondev.com

**PROPERTY INFORMATION**

Property Address: 187 Freedom Park Road Current Zoning: PUD  
15 Digit Pin: 730620802363000 Size of Property (Square Feet or Acres): .172

Is the property Contiguous to the City Limits:  Yes  No;

If Not Contiguous please indicate how many miles it is to the City Limits: \_\_\_\_\_

Current Use of Property:

- Residential  Vacant  
 Commercial  Other: \_\_\_\_\_

Applicant Signature: *Tom Smith* Date: 9.20.22

OFFICE USE ONLY

Revised 7/22

Received by: \_\_\_\_\_ Reviewed for Completeness By: \_\_\_\_\_

Date: \_\_\_\_\_ Date Deemed Complete and Accepted: \_\_\_\_\_

\_\_\_\_\_  
Property Owner Signature (if different than above) Date: \_\_\_\_\_

**A fee of \$350 to the Town of Beaufort must accompany this application.**

**REQUIRED ATTACHMENTS FOR A VOLUNTARY ANNEXATION REQUEST**

**Please provide the following as attachments to the voluntary annexation request form:**

1. Copy of the Annexation Survey (suitable for recording)
2. Copy of all the deeds for the area to be annexed to verify ownership
3. A TYPED list of adjoining property owners
4. Carteret County Tax Parcel Card (Included should be parcel number and tax value)
5. Anticipated impact to city services including estimated gallons of water/sewer per day



FILE # 1567401

NORTH CAROLINA, CARTERET COUNTY  
This instrument and this certificate are duly filed at  
the date and time and in the Book and Page shown  
on the first page hereof.

Jerry T. Hardesty, Register of Deeds  
By Kenneth L. Eagle  
Asst. Deputy, Register of Deeds

FOR REGISTRATION REGISTER OF DEEDS  
Jerry T. Hardesty  
Carteret County, NC  
February 21, 2017 12:42:46 PM  
TRAVIS DEED 5 P  
FEE: \$26.00  
NC REVENUE STAMP: \$500.00  
FILE # 1567401

Type Of Instrument: General Warranty Deed  
Prepared By and Mail To:  Kenneth L. Eagle, 2235 Gateway Access Point, Suite 201, Raleigh, NC 27607

The real property conveyed by this Deed does not include the primary residence of the Grantor

Excise Tax ~~\$130.00~~ \$500.00 Tax Parcel Nos. 7306.20.80.2301000 and 7306.20.80.2363000

**NORTH CAROLINA GENERAL WARRANTY DEED AND NON-WARRANTY DEED**

THIS DEED is made this 21<sup>st</sup> day of February, 2017, by and between:

GRANTOR: Geneva C. Conway Mitchell (also known as Carol Conway Mitchell), an unmarried person  
Address: 110 Heron Drive, Havelock, NC 28532

GRANTEE: Blue Treasure LLC,  
a North Carolina limited liability company  
Address: P. O. Box 3557, Cary, NC 27519

(The designation of Grantor and Grantee as used herein shall include said parties, their heirs, successors and assigns, and shall include the singular, plural, masculine, feminine or neuter as required by the context.)

WITNESSETH:

THE GRANTOR, for a valuable consideration paid by the Grantee, the sufficiency and receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee, in fee simple, that certain real property, lying and being near the Town of Beaufort, in Carteret County, North Carolina, and being more particularly described as follows (referred to herein as the "Property"):

**SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED BY REFERENCE**

The Property was acquired by Grantor by instruments recorded in the office of the Register of Deeds for Carteret County, North Carolina in Book 608, Page 199, Book 608, Page 200, and Book 945, Page 379.

TO HAVE AND TO HOLD the Property and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

AND THE GRANTOR covenants with the Grantee that Grantor is seized of the Property in fee simple, has the right to convey same in fee simple, that the title thereto is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, except for the following exceptions:

1. Ad valorem property taxes on the Property for 2017 and subsequent years.
2. All rights of way, easements, and other matters of record in the office of the Register of Deeds for Carteret County, North Carolina that affect the Property.

**BOOK 1567 PAGE 401**

⑤

Grantor also conveys to Grantee, without any warranties of title, any and all right, title, and interest that Grantor may own or have in and to the properties described in **Exhibit B** attached hereto and incorporated by reference.

IN WITNESS WHEREOF, Grantor has executed this Deed on the day and year first above-written.

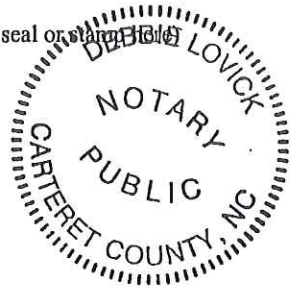
Geneva C. Conway Mitchell  
Geneva C. Conway Mitchell

North Carolina, Carteret County

I certify that the following persons personally appeared before me this day and acknowledged to me that he or she executed the foregoing document: Geneva C. Conway Mitchell.

Date: February 21, 2017

(affix seal or stamp here)



Debbie Lovick  
Notary Public  
Printed/Typed Name: Debbie Lovick  
My Commission Expires: 6/15/18

**BOOK** 1567 **PAGE** 401

**EXHIBIT A  
TO  
GENERAL WARRANTY DEED**

**PROPERTY DESCRIPTION**

LYING AND BEING near the Town of Beaufort, in Carteret County, North Carolina, and near the right of way of Leonda Drive (North Carolina Secondary Road No. 1412, formerly known as Russell Drive), and being more particularly described as follows:

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BEGINNING at an iron stake in the center line of the old Beaufort-Lennoxville (Dick Chadwick) road, being the southeast corner of H. C. Jones and the northeast corner of I. E. Ramsey Tract; and runs with the center line of the road North 82 degrees 30 minutes West 50 feet to an iron pipe; thence North 15 degrees 30 minutes East 100 feet to an iron pipe; thence South 82 degrees 30 minutes East 50 feet to an iron pipe; thence South 15 degrees 30 minutes West 100 feet to the Beginning.

(The foregoing description was copied from the deed recorded in the office of the Register of Deeds for Carteret County, North Carolina in Book 608, Page 199.)

**Tract 2:**

BEGINNING at the southeast corner of the Stephen F. Mitchell Jr. lot, formerly the H. C. Jones southeast corner, said point being North 80 degrees 48 minutes West 150.0 feet from the northwest corner of Russell Drive; thence North 16 degrees 30 minutes East 150.00 feet; thence South 80 degrees 48 minutes East 50.0 feet; thence South 16 degrees 30 minutes West 150.0 feet; thence North 80 degrees 48 minutes West 50.0 feet to the point of Beginning.

ALSO, a right of ingress and egress to and from the above property described as follows: Beginning at the northwest corner of Russell Drive and running North 80 degrees 48 minutes West 150.0 feet (incorrectly stated as 15.0 feet in the deed recorded in Book 945, Page 379, but correctly stated in the deed recorded in Book 608, Page 200); thence South 16 degrees 30 minutes West 20.0 feet; thence South 80 degrees 48 minutes East 150.0 feet to the west line of Russell Drive; thence with said road line North 16 degrees 30 minutes East 20.0 feet to the point of Beginning.

(The foregoing description was copied from the deed recorded in the office of the Register of Deeds for Carteret County, North Carolina in Book 945, Page 379.)

**BOOK 1567 PAGE 401**

**EXHIBIT B  
TO  
GENERAL WARRANTY DEED**

**PROPERTY CONVEYED WITHOUT WARRANTIES**

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**Tract One:**

BEGINNING at a point on the northern margin of a "20' Road", said point being located North 87 degrees 44 minutes 14 seconds West 149.38 feet from a point located at the northwest corner of the intersection of the rights of way of Leonda Drive (North Carolina Secondary Road 1412) and Freedom Park Road and at the southeast corner of property owned now or formerly by Blue Treasure LLC (see deed recorded in Book 1262, Page 311), and running from said point of beginning along the following lines:

North 11 degrees 01 minutes 54 seconds East 13.54 feet to an existing iron pipe;

North 87 degrees 52 minutes 39 seconds West 49.91 feet to an existing iron pipe in the line of property owned now or formerly by Blue Treasure LLC (see deeds recorded in Book 1241, Page 315 and Book 1241, Page 316);

then with said property owned now or formerly by Blue Treasure LLC, the following three (3) lines:

(1) North 09 degrees 01 minutes 00 seconds East 99.01 feet to a point;

(2) South 89 degrees 00 minutes 24 seconds East 50.00 feet to an existing iron pipe; and

(3) North 08 degrees 58 minutes 58 seconds East 37.97 feet to a calculated point, a common corner with other property owned now or formerly by Blue Treasure LLC (see deed recorded in Book 1256, Page 198);

then with said property owned now or formerly by Blue Treasure LLC, South 87 degrees 15 minutes 35 seconds East 49.12 feet to a point, a common corner with the northwest corner of property owned now or formerly by Conway;

then with the western boundary line of said property owned now or formerly by Conway, South 09 degrees 08 minutes 06 seconds West 151.08 feet to a point on the northern margin of the 20' Access Road;

then with the northern margin of the 20' Road, North 87 degrees 44 minutes 14 seconds West 49.28 feet to the point of BEGINNING, the foregoing description being according to a survey by Miles O. McCall, III, Professional Land Surveyor, dated 11-04-08, last revised on 03/18/10, and sealed on 3-19-10, and entitled "Survey Of Properties Of Conway, Mitchell & Blue Treasure, LLC" (Atlantic Coast Survey, PLLC Project No. 10-1021), referred to in this **Exhibit B** as the "Survey".

**(NOTES:**

- The property referenced in the foregoing description as owned now or formerly by Conway, which adjoins the eastern boundary of the Property described in the foregoing description, was acquired from Conway by Blue Treasure LLC by deed recorded in File #1347411.

- The 20' Road referred to in the foregoing description is referred to in the property description of Tract 1 in **Exhibit A** of this Deed as old Beaufort-Lennoxville (Dick Chadwick) road and was referred to in the foregoing deed from Conway to Blue Treasure LLC recorded in File #1347411 as Conway Avenue. This 20' Road is described in Tract Three of this **Exhibit B**.)

**BOOK 1567 PAGE 401**

**Tract Two:**

BEGINNING at a point on the northern boundary of a "20' Road" shown on the Survey, said point being located North 87 degrees 44 minutes 14 seconds West 100.10 feet from the northwest corner of the intersection of Leonda Drive and Freedom Park Road, said beginning point being a common corner with the southeast corner of Tract One described in this Exhibit B), then running with the eastern boundary line of Tract One described in this Exhibit B, North 09 degrees 08 minutes 06 seconds East 151.08 feet to a point, a common corner with the northeast corner of Tract One described in this Exhibit B and in the boundary line of property owned now or formerly by Blue Treasure LLC (see deed recorded in Book 1256, Page 198); then with the boundary line of said property of Blue Treasure LLC, South 87 degrees 15 minutes 35 seconds East 49.94 feet to a point at the northwest corner of other property owned now or formerly by Blue Treasure LLC (see deed recorded in Book 1262, Page 311); then the western boundary line of said property of Blue Treasure LLC, South 09 degrees 08 minutes 06 seconds West 150.66 feet to a point in the northern boundary of said 20' Road; then with the northern boundary of said 20' Road, North 87 degrees 44 minutes 14 seconds West 49.99 feet to the point of Beginning.

(The foregoing property was acquired by Blue Treasure LLC from Conway by deed recorded in File #1347411 and the bearings and distances in the description are taken from the Survey.)

**Tract Three:**

BEGINNING at a point on the western margin of the right of way of Leonda Drive, at the northwest corner of the intersection of Leonda Drive and Freedom Park Road, said point being located 1.8 feet, more or less, southwest of an existing right of way monument as shown on the Survey, and said point being a common corner with the southeast corner of an approximately 150 feet x 50 feet lot conveyed to Blue Treasure LLC by deed recorded in Book 1262, Page 311; then running with the western margin of the right of way of Leonda Drive, South 09 degrees 25 minutes 53 seconds West 20.16 feet to an existing iron pipe (a "Control Corner" on the Survey); then leaving the western margin of the right of way of Leonda Drive, and running North 87 degrees 44 minutes 14 seconds West 149.95 feet to an existing iron pipe; then North 11 degrees 01 minute 54 seconds East 20.24 feet to a point in the southern boundary line of the property described in Tract One of this Exhibit B); then with the southern boundary lines, first of Tract One described in this Exhibit B for 49.28 feet, then of Tract Two described in this Exhibit B for 49.99 feet, and then with the property acquired by Blue Treasure LLC by the deed recorded in Book 1262, Page 311 for 50.11 feet, South 87 degrees 44 minutes 14 seconds East a total distance of 149.38 feet to the point of Beginning, and being the property shown on the Survey as "20' Road".

**Tract Four:**

All right, title, and interest that Grantor owns in and to those properties acquired by Blue Treasure LLC by the following deeds: Book 1241, Page 315 and Book 1241, Page 316 (Jones Property), Book 1256, Page 198 (Pace & Wysocking Property); and by Certificate Of Title recorded in File #1340007 (Arrington Property).

**BOOK 1567 PAGE 401**

2023 68,750 MKT BLUE TREASURE LLC  
 PID R 7306.20.80.2363000 CARD 001  
 PY Val USE 68,750 LAND 001  
 PO BOX 3557

DEF BLDG 000  
 LISTER 5/16/2014 VWD CARY NC 27519  
 .172 ACRES XFOB 000  
 TWP BEAUFORT CITY FIRE BEAUFORT FIRE  
 RESCUE BEAUFORT RESCUE OTHER  
 LOT BLK PL BK/PG PLAT  
 ADDRESS 0000000  
 NBHD 11004800 USE 000800 VACANT DEED 1567 401 AICUZ  
 PRINTED 8/17/2022 BY ALLENW  
 LEGAL: LOT OFF LEONDA DR/FREEDOM PARK

LAND

Seq	Zone	Code	Use	Description	UTPrice	Adj1	Adj2	Adj3
Adj4	Fadj	Dadj	Nbhd	Adj	Value			
1		114801		RESIDENTIAL LOT				
	50	150	60	50.000 FF	1,100.000	1.00	1.00	1.00
1.00	1.25	1.00	1.000	1,375.000	68,750			



Town of Beaufort NC  
701 Front St. • P.O. Box 390 • Beaufort, N.C. 28516  
252-728-2141 • 252-728-3982 fax  
[www.beaufortnc.org](http://www.beaufortnc.org)

**APPLICATION FOR VOLUNTARY ANNEXATION REQUEST**

**Instructions:** Please complete the form below and include all required attachments, including the **\$350 application fee (to The Town of Beaufort)** and return to the Planning Department, Town Hall, 701 Front St., PO Box 390, Beaufort, NC, 28516. Incomplete applications will not be processed and returned to the applicant. Please contact Town Hall at (252) 728-2141 with any questions.

Applicant Name: Blue Treasure, LLC  
Applicant Address: PO BOX 3557 CARY NC 27519  
Phone Number: 9194813000 Email: karl@prestondev.com

Property Owner Name: Blue Treasure, LLC  
Address of Property: \_\_\_\_\_  
Phone Number: 919 481 3000 Email: karl@prestondev.com

**PROPERTY INFORMATION**


Property Address: 189 Freedom Park Road Current Zoning: PUD  
15 Digit Pin: 730620803332000 Size of Property (Square Feet or Acres): .344 acres

Is the property Contiguous to the City Limits:  Yes  No;

If Not Contiguous please indicate how many miles it is to the City Limits: \_\_\_\_\_

Current Use of Property:

- Residential  Vacant  
 Commercial  Other: \_\_\_\_\_

Applicant Signature:  Date: 9-20-22

OFFICE USE ONLY

Revised 7/22

Received by: \_\_\_\_\_ Reviewed for Completeness By: \_\_\_\_\_

Date: \_\_\_\_\_ Date Deemed Complete and Accepted: \_\_\_\_\_

\_\_\_\_\_  
Property Owner Signature (if different than above) Date: \_\_\_\_\_

**A fee of \$350 to the Town of Beaufort must accompany this application.**

**REQUIRED ATTACHMENTS FOR A VOLUNTARY ANNEXATION REQUEST**

**Please provide the following as attachments to the voluntary annexation request form:**

1. Copy of the Annexation Survey (suitable for recording)
2. Copy of all the deeds for the area to be annexed to verify ownership
3. A TYPED list of adjoining property owners
4. Carteret County Tax Parcel Card (Included should be parcel number and tax value)
5. Anticipated impact to city services including estimated gallons of water/sewer per day



FILE # 1347411

NORTH CAROLINA, CARTERET COUNTY  
This instrument and this certificate are duly filed at  
the date and time and in the Book and Page shown  
on the first page hereof.

FOR REGISTRATION REGISTER OF DEEDS  
Joy Lawrence  
Carteret County, NC  
July 22, 2010 11:53:53 AM  
COUNTER DEED 6 P  
FEE: \$34.00  
NC REVENUE STAMP: \$168.00  
FILE # 1347411

By *Joy Lawrence*  
Joy Lawrence, Register of Deeds  
Asst. Deputy, Register of Deeds

Type Of Instrument: Deed  
Prepared By and Mail To: Kenneth L. Eagle, 2401 Weston Parkway, Suite 203, Cary, NC 27513

Excise Tax \$168.00 PID 7306.20.80.3321000

NOTE: The Property conveyed by this Deed includes the primary residence of Larry Ray Conway, Sr..

**NORTH CAROLINA GENERAL WARRANTY DEED**

THIS DEED is made this 22<sup>nd</sup> day of July, 2010, by and between:

GRANTOR: LARRY RAY CONWAY, SR., an unmarried person, and  
IDELL B. CONWAY, an unmarried person

Address: 253 Leonda Drive, Beaufort, NC28516 (Larry Ray Conway, Sr.)

GRANTEE: BLUE TREASURE LLC, a North Carolina limited liability company

Address: 100 Matrix Drive  
Cary, NC 27513

(The designation of Grantor and Grantee as used herein shall include said parties, their heirs, successors and assigns, and shall include the singular, plural, masculine, feminine or neuter as required by the context.)

WITNESSETH: THE GRANTOR, for a valuable consideration paid by the Grantee, the sufficiency and receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee, in fee simple, all that certain real property, lying and being in Carteret County, North Carolina, and being more particularly described as follows (and hereinafter being referred to as the "Property"):

**SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED BY REFERENCE**

The Property was acquired by Larry Ray Conway, Sr. by deed from Idell B. Conway recorded in Book 853, Page 293, Carteret County, NC Registry.

TO HAVE AND TO HOLD the Property and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

(keagle\realprop.clo\10005re deed1)

BOOK 1347 PAGE 411

⑥

AND LARRY RAY CONWAY, SR. covenants with the Grantee that he is seized of the Property in fee simple, has the right to convey the same in fee simple, that the title is marketable and free and clear of all encumbrances, and that he will warrant and defend the title against the lawful claims of all persons whomsoever, except for the following exceptions:

1. Ad valorem property taxes on the Property for 2010 and subsequent years.
2. All rights of way and easements of record in the Carteret County, North Carolina Registry at the time of the execution of this Deed by Grantor that affect the Property.
3. Life estate of Idell B. Conway reserved in the deed recorded in the Carteret County, North Carolina Registry in Book 853, Page 293.

Idell B. Conway, a former owner of the Property, reserved a life estate in the Property by the deed to Larry Ray Conway, Sr. recorded in the Carteret County, North Carolina Registry in Book 853, Page 293. By her execution of this Deed, Idell B. Conway conveys and releases to Blue Treasure LLC her life estate interest in the Property.

The foregoing Property is conveyed together with all rights of ingress, egress, and regress in, on, over, and upon, and all other rights in and to, the "20' Road" shown on the Survey as described in **Exhibit B** attached to this Deed.

Larry Ray Conway, Sr. and Idell B. Conway also convey to Blue Treasure LLC, without warranties, any and all right, title, and interest that he or she has in and to the real property described on **Exhibit B** attached hereto and incorporated by reference.

IN WITNESS WHEREOF, the Grantor has executed this Deed on the date indicated in the acknowledgment of the Grantor's execution (if more than one Grantor, on the date of the later or last acknowledgment).

Larry Ray Conway SR. (SEAL)  
LARRY RAY CONWAY, SR.

Idell B. Conway (SEAL)  
IDELL B. CONWAY

State of Louisiana, County of Vermilion

I certify that the following person personally appeared before me this day and acknowledged to me that he or she executed the foregoing document: LARRY RAY CONWAY, SR.

Date: July 8, 2010

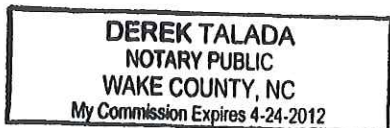


Jan Caya 057592  
Notary Public  
Printed/Typed Name: Jan Caya  
My Commission Expires: @ death

State of North Carolina, County of Carteret

I certify that the following person personally appeared before me this day and acknowledged to me that he or she executed the foregoing document: IDELL B. CONWAY.

Date: 7/22/2010  
(affix seal or stamp here)



Derek  
Notary Public  
Printed/Typed Name: Derek Talada  
My Commission Expires: 4/24/2012

(keagle\realprop.clo\10005re deed1)

BOOK 1347 PAGE 411

**EXHIBIT A  
TO  
DEED**

**Property Description:**

ALL that certain lot or parcel of land, lying and being in Carteret County, State of North Carolina, and more particularly described as follows: Being approximately two miles southeast of Beaufort, NC and beginning at a point in the northerly right of way line of Conway Avenue, which said point of beginning is located S 81-50 E 50 feet along said northerly right of way line from the southeast corner of the Arrington property; thence from this beginning N 16 E 150 feet; thence S 81 E 50 feet; thence S 16 W 150 feet to an iron stake in the northerly right of way line of Conway Avenue; thence N 81 W 50 feet along and with said right of way to the point of beginning.

(Note: The foregoing description was copied from the deed recorded in the Carteret County, North Carolina Registry in Book 853, Page 293. The preparer of this Deed believes that the reference to the southeast corner of the Arrington property should be to the northeast corner of the Arrington property. The Arrington property referred to in said description now is owned by Blue Treasure LLC - see "The Certificate Of Title Of Blue Treasure LLC" for Registered Estate No. 80-1-J filed in the Carteret County, North Carolina Registry on April 26, 2010 in File # 134007.)

(keagle\realprop.clo\10005re deed1)

BOOK 1347 PAGE 411

**EXHIBIT B  
TO  
DEED**

**Property Description of real property conveyed without warranties:**

(All recording references are to the Carteret County, North Carolina Registry. The "Survey" referred to in this **Exhibit B** is a survey by Miles O. McCall, III, Professional Land Surveyor, dated November 4, 2008, last revised on March 18, 2010, and sealed on March 19, 2010, entitled "Survey Of Properties Of Conway, Mitchell & Blue Treasure, LLC".)

LYING AND BEING in Carteret County, North Carolina, west of and near the intersection of Leonda Drive (North Carolina State Road 1412) and Freedom Park Road, and being more particularly described as follows:

**Tract One:**

BEGINNING at a point on the northern boundary of a "20' Road" shown on the Survey, said point being located North 87 degrees 44 minutes 14 seconds West 100.10 feet from the northwest corner of the intersection of Leonda Drive and Freedom Park Road, said beginning point being a common corner with the southeast corner of property owned now or formerly by Mitchell (see deeds recorded in Book 945, Page 379 and Book 608, Page 200, said property of Mitchell also being described as Tract 3 in this **Exhibit B**), then running with the eastern boundary line of said property of Mitchell, North 09 degrees 08 minutes 06 seconds East 151.08 feet to a point, a common corner with the northeast corner of said property of Mitchell in the boundary line of property owned now or formerly by Blue Treasure LLC (see deed recorded in Book 1256, Page 198); then with the boundary line of said property of Blue Treasure LLC, South 87 degrees 15 minutes 35 seconds East 49.94 feet to a point in said boundary line of Blue Treasure LLC, said point also being a common corner with the northwest corner of other property owned now or formerly by Blue Treasure LLC (see deed recorded in Book 1262, Page 311, said property of Blue Treasure LLC also being described as Tract 4 in this **Exhibit B**); then the western boundary line of said property of Blue Treasure LLC, South 09 degrees 08 minutes 06 seconds West 150.66 feet to a point in the northern boundary of said 20' Road; then with the northern boundary of said 20' Road, North 87 degrees 44 minutes 14 seconds West 49.99 feet to the point of Beginning.

**Tract Two:**

BEGINNING at a point on the western margin of the right of way of Leonda Drive, at the northwest corner of the intersection of Leonda Drive and Freedom Park Road, said point being located 1.8 feet, more or less, southwest of an existing right of way monument as shown on the Survey, and said point being a common corner with the southeast corner of an approximately 150 feet x 50 feet lot conveyed to Blue Treasure LLC by deed recorded in Book 1262, Page 311 (and described as Tract 4 in this **Exhibit B**); then running with the western margin of the right of way of Leonda Drive, South 09 degrees 25 minutes 53 seconds West 20.16 feet to an existing iron pipe (a "Control Corner" on the Survey); then leaving the western margin of the right of way of Leonda Drive, and running North 87 degrees 44 minutes 14 seconds West 149.95 feet to an existing iron pipe; then North 11 degrees 01 minute 54 seconds East 20.24 feet to a point at the southwest corner of property owned now or formerly by Mitchell (see deeds recorded in Book 945, Page 379 and Book 608, Page 200, said property of Mitchell also being described as Tract 3 in this **Exhibit B**); then with the southern boundary lines of said property of Mitchell for 49.28 feet, then of property owned now or formerly by Conway (see deed recorded in Book 853, Page 293, said property of Conway also being described as Tract 1 in this **Exhibit B**) for 49.99 feet, and said property owned now or formerly by Blue Treasure LLC (and described as Tract 4 in this **Exhibit B**) for 50.11 feet, South 87 degrees 44 minutes 14 seconds East a total distance of 149.38 feet to the point of Beginning, and being the property shown on the Survey as "20' Road".

(keagle\realprop.clo\10005re deed1)

BOOK 1347 PAGE 411

**Tract Three:**

BEGINNING at a point on the northern boundary of the "20' Road" shown on the Survey, said point being located North 87 degrees 44 minutes 14 seconds West 100.10 feet from the northwest corner of the intersection of Leonda Drive and Freedom Park Road, said beginning point being a common corner with the southwest corner of Tract One described in this **Exhibit B**, and running with the northern boundary of said 20' Road, North 87 degrees 44 minutes 14 seconds West 49.28 feet to a point; then North 11 degrees 01 minutes 54 seconds East 13.54 feet to an existing iron pipe at the southeast corner of the property conveyed to Stephen F. Mitchell, Jr. and Geneva C. Conway Mitchell by deed recorded in Book 608, Page 199; then with the eastern boundary line of said property owned now or formerly by Mitchell, North 08 degrees 59 minutes 51 seconds East 100.00 feet to an existing iron pipe at the northeast corner of said property of Mitchell in the eastern boundary line of property owned now or formerly by Blue Treasure LLC (see deeds recorded in Book 1241, Page 315 and Book 1241, Page 316); then with the eastern boundary of said property of Blue Treasure LLC, North 08 degrees 58 minutes 58 seconds East 37.97 feet to a calculated point in the eastern boundary line of said property of Blue Treasure LLC and in the western boundary line of other property owned now or formerly by Blue Treasure LLC (see deed recorded in Book 1256, Page 198); then with the boundary line of said property of Blue Treasure LLC, South 87 degrees 15 minutes 35 seconds East 49.12 feet to a point, said point being a common corner with the northwest corner of Tract One described in this **Exhibit B**; then with the western boundary line of said Tract One described in this **Exhibit B**, South 09 degrees 08 minutes 06 seconds West 151.08 feet to the point of Beginning.

**Tract Four:**

BEGINNING at a point on the western margin of the right of way of Leonda Drive, at the northwest corner of the intersection of Leonda Drive and Freedom Park Road, said point being located 1.8 feet, more or less, southwest of an existing right of way monument as shown on the Survey, said point also being the northeast corner of the 20' Road shown on the Survey and being in the line of property owned now or formerly by Blue Treasure LLC (see deed recorded in Book 1256, Page 198); then running with the northern boundary of said 20' Road, North 87 degrees 44 minutes 14 seconds West 50.11 feet to a point, a common corner with the southeast corner of Tract One described in this **Exhibit B**; then leaving the northern boundary of said 20' Road and running with the eastern boundary of Tract One described in this **Exhibit B**, North 09 degrees 08 minutes 06 seconds East 150.66 feet to a point, a common corner with the northeast corner of Tract One described in this **Exhibit B** in the boundary line of property owned now or formerly by Blue Treasure LLC (see deed recorded in Book 1256, Page 198); then with the boundary lines of said property of Blue Treasure LLC, the following two (2) lines: (1) South 87 degrees 15 minutes 35 seconds East 50.94 feet to a calculated point; and (2) South 09 degrees 27 minutes 55 seconds West 150.34 feet to the point of Beginning, and being part of the property conveyed to Blue Treasure LLC by deed recorded in Book 1262, Page 311.

**Tract Five:**

All right, title, and interest in and to the real property conveyed to Blue Treasure LLC by deeds recorded in Book 1256, Page 198 and Book 1262, Page 311.

2023 110,000 MKT BLUE TREASURE LLC  
 PID R 7306.20.80.3332000 CARD 001  
 PY Val USE 110,000 LAND 001 110,000  
 PO BOX 3557  
 DEF BLDG 000  
 LISTER 5/16/2014 VWD CARY NC 27519  
 .344 ACRES XFOB 000  
 TWP BEAUFORT CITY FIRE BEAUFORT FIRE  
 RESCUE BEAUFORT RESCUE OTHER  
 LOT BLK PL BK/PG PLAT  
 ADDRESS 0000000  
 NBHD 11004800 USE 000800 VACANT DEED 1347 411 AICUZ  
 PRINTED 8/17/2022 BY ALLENW  
 LEGAL: LOT OFF LEONDA DR/FREEDOM PARK

LAND

Seq	Zone	Code	Use	Description	UTPrice	Adj1	Adj2	Adj3
Front	Depth	Back	FT	#Units	UT	Adj1	Adj2	Adj3
Adj4	Fadj	Dadj	Nbhd	Adj	Eff	Rate	Value	
1		114801		RESIDENTIAL LOT				
100	150		60	100.000	FF	1,100.000	1.00	1.00
1.00	1.00	1.00	1.000	1,100.000		110,000		



Town of Beaufort NC
701 Front St. • P.O. Box 390 • Beaufort, N.C. 28516
252-728-2141 • 252-728-3982 fax
www.beaufortnc.org

APPLICATION FOR VOLUNTARY ANNEXATION REQUEST

Instructions: Please complete the form below and include all required attachments, including the \$350 application fee (to The Town of Beaufort) and return to the Planning Department, Town Hall, 701 Front St., PO Box 390, Beaufort, NC, 28516. Incomplete applications will not be processed and returned to the applicant. Please contact Town Hall at (252) 728-2141 with any questions.

Applicant Name: Blue Treasure, LLC
Applicant Address: PO BOX 3557 CARY NC 27519
Phone Number: 9194813000 Email: karl@prestondev.com

Property Owner Name: Blue Treasure, LLC
Address of Property:
Phone Number: 9194813000 Email: karl@prestondev.com

PROPERTY INFORMATION

Property Address: 243 Leonda Drive Current Zoning: R-20
15 Digit Pin: 730620802173000 Size of Property (Square Feet or Acres): .223

Is the property Contiguous to the City Limits: [X] Yes [ ] No;

If Not Contiguous please indicate how many miles it is to the City Limits:

Current Use of Property:

- [ ] Residential [X] Vacant
[ ] Commercial [ ] Other:

Applicant Signature: [Signature] Date: 9-20-22

OFFICE USE ONLY

Revised 7/22

Received by: Reviewed for Completeness By:

Date: Date Deemed Complete and Accepted:

\_\_\_\_\_  
Property Owner Signature (if different than above) Date: \_\_\_\_\_

**A fee of \$350 to the Town of Beaufort must accompany this application.**

**REQUIRED ATTACHMENTS FOR A VOLUNTARY ANNEXATION REQUEST**

**Please provide the following as attachments to the voluntary annexation request form:**

1. Copy of the Annexation Survey (suitable for recording)
2. Copy of all the deeds for the area to be annexed to verify ownership
3. A TYPED list of adjoining property owners
4. Carteret County Tax Parcel Card (Included should be parcel number and tax value)
5. Anticipated impact to city services including estimated gallons of water/sewer per day

Karen S. Hardesty  
Carteret County, NC

4.

December 15, 2021 9:45:03 AM

DEED # Pages: 3

Fee: \$26.00

NC Revenue Stamp: \$525.00

FILE # 1750114

*Karen S. Hardesty*

**NORTH CAROLINA GENERAL WARRANTY DEED**

Excise Tax: \$ 525.00

Parcel Identifier No. 730620802173000 Verified by \_\_\_\_\_ County on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_

By: \_\_\_\_\_

Mail/Box to: John M. Harris, White & Allen, P. A., 304 N. 35th Street, Morehead City, NC 28557

This instrument was prepared by: White & Allen, P. A., 304 N. 35th Street, Morehead City, NC 28557 - File #M130243-1

Brief description for the Index: LOT ON LEONDA DRIVE

THIS DEED made this 15th day of December, 2021, by and between

**GRANTOR**

**GRANTEE**

Robin Mitchell, unmarried  
110 Heron Drive  
Havelock, NC 28532

Blue Treasure LLC  
105 Weston Estates Way  
Cary, NC 27513

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, parcel of land or condominium unit situated in the City of Beaufort, Beaufort Township, Carteret County, North Carolina and more particularly described as follows:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

**Submitted electronically by "White & Allen MHC"  
in compliance with North Carolina statutes governing recordable documents  
and the terms of the submitter agreement with the Carteret County Register of Deeds.**

The property hereinabove described was acquired by Grantor by instrument recorded in Book 1604 page 471.

All or a portion of the property herein conveyed    includes or X does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat Book \_\_\_\_\_ page \_\_\_\_\_.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions: 2021 ad valorem taxes; utility easements and unviolated restrictions of record.

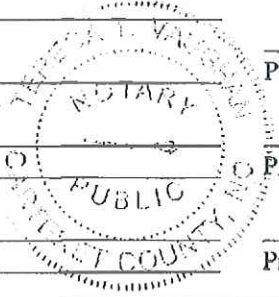
IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

By: \_\_\_\_\_ (Entity Name) Robin Mitchell (SEAL)  
Print/Type Name: Robin Mitchell, unmarried

By: \_\_\_\_\_ (SEAL)  
Print/Type Name & Title: \_\_\_\_\_ Print/Type Name: \_\_\_\_\_

By: \_\_\_\_\_ (SEAL)  
Print/Type Name & Title: \_\_\_\_\_ Print/Type Name: \_\_\_\_\_

By: \_\_\_\_\_ (SEAL)  
Print/Type Name & Title: \_\_\_\_\_ Print/Type Name: \_\_\_\_\_



State of North Carolina - County or City of Carteret  
I, the undersigned Notary Public of the County or City of Carteret and State aforesaid, certify that Robin Mitchell, unmarried personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 14th day of December, 2021.

My Commission Expires: 1/29/2025 (Affix Seal)  
Notary's Printed or Typed Name: Teresa T. Vaughan Notary Public



State of \_\_\_\_\_ - County or City of \_\_\_\_\_  
I, the undersigned Notary Public of the County or City of \_\_\_\_\_ and State aforesaid, certify that \_\_\_\_\_ personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My Commission Expires: \_\_\_\_\_ (Affix Seal)  
Notary's Printed or Typed Name: \_\_\_\_\_ Notary Public

State of \_\_\_\_\_ - County or City of \_\_\_\_\_  
I, the undersigned Notary Public of the County or City of \_\_\_\_\_ and State aforesaid, certify that \_\_\_\_\_ personally came before me this day and acknowledged that \_\_\_\_\_ he is the \_\_\_\_\_ of \_\_\_\_\_, a North Carolina or \_\_\_\_\_ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, \_\_\_\_\_ he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My Commission Expires: \_\_\_\_\_ (Affix Seal)  
Notary's Printed or Typed Name: \_\_\_\_\_ Notary Public

EXHIBIT "A"

BEING a part of the John Q. Chadwick farm in Beaufort Township Carteret County, North Carolina.

Beginning at Harold Mitchell's northeast corner in the west line of the "Trash Pile Road", now Leonda Drive; thence N 80\*-48'W, 150.0'; thence N 16\*-30'E, 65.0'; thence S 80\*-48'E, 150.0' to the west line of the above mentioned road; thence with said road line S 16\*-30'W, 65.0' to the point of beginning.





Town of Beaufort NC  
701 Front St. • P.O. Box 390 • Beaufort, N.C. 28516  
252-728-2141 • 252-728-3982 fax  
[www.beaufortnc.org](http://www.beaufortnc.org)

**APPLICATION FOR VOLUNTARY ANNEXATION REQUEST**

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Applicant Name: Blue Treasure, LLC

Applicant Address: PO BOX 3557 CARY NC 27519

Phone Number: 9194813000 Email: karl@prestondev.com

Property Owner Name: Blue Treasure, LLC

Address of Property: \_\_\_\_\_

Phone Number: 919-481-3000 Email: karl@prestondev.com

**PROPERTY INFORMATION**

Property Address: 249 Leonda Drive Current Zoning: PUD

15 Digit Pin: 730620802188000 Size of Property (Square Feet or Acres): .172 acres

Is the property Contiguous to the City Limits:  Yes  No;

If Not Contiguous please indicate how many miles it is to the City Limits: \_\_\_\_\_

Current Use of Property:

- Residential
- Commercial

- Vacant
- Other: \_\_\_\_\_

Applicant Signature: *Tom Smith* Date: 9-20-22

OFFICE USE ONLY

Revised 7/22

Received by: \_\_\_\_\_

Reviewed for Completeness By: \_\_\_\_\_

Date: \_\_\_\_\_

Date Deemed Complete and Accepted: \_\_\_\_\_

Date: \_\_\_\_\_

Property Owner Signature (if different than above)

**A fee of \$350 to the Town of Beaufort must accompany this application.**

**REQUIRED ATTACHMENTS FOR A VOLUNTARY ANNEXATION REQUEST**

**Please provide the following as attachments to the voluntary annexation request form:**

1. Copy of the Annexation Survey (suitable for recording)
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3. A TYPED list of adjoining property owners
4. Carteret County Tax Parcel Card (Included should be parcel number and tax value)
5. Anticipated impact to city services including estimated gallons of water/sewer per day

NORTH CAROLINA, CARTERET COUNTY  
This instrument and this certificate are duly filed at  
the date and time and in the Book and Page shown  
on the first page hereof.



FILE # 1472330

By Joy Lawrence, Registrar of Deeds  
R. S. Harris  
Asst. Deputy, Registrar of Deeds

FOR REGISTRATION REGISTER OF DEEDS  
Joy Lawrence  
Carteret County, NC  
February 26, 2014 11:24:26 AM  
LDL DEED 6 P  
FEE: \$26.00  
FILE # 1472330

Excise Tax: 0

Parcel Identifier No. Tract 1A split from 730620719307; Tract 2A split from 731617112108; Tract 2C split from 731505095252

Mail after recording to: K&W Grantee

This instrument was prepared by: Kilpatrick Townsend & Stockton LLP (JCL) without title examination

Brief description for the Index: Tracts 2A and 2C on Plat recorded in Map Book 32 at Page 458 and Tract 1A on Plat recorded in Map Book 32 at Page 457

### NORTH CAROLINA SPECIAL WARRANTY DEED

THIS DEED made as of this 25<sup>th</sup> day of February, 2014, by and between

GRANTOR	GRANTEE
<b>BLUE TREASURE, LLC</b> , a North Carolina limited liability company c/o Preston Development 100 Weston Parkway Cary, NC 27513	<b>TOWN OF BEAUFORT</b> , a North Carolina municipal corporation 701 Front Street Beaufort, NC 28516

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the Town of Beaufort, Carteret County, North Carolina, and more particularly described as follows (the "Property"):

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF

US2008 5344014 3

BOOK 1472 PAGE 330

6

The Property does not include the primary residence of a Grantor.

TO HAVE AND TO HOLD the Property and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And Grantor covenants with Grantee, that Grantor has done nothing to impair such title to the Property as Grantor received, and Grantor will warrant and defend the title to the Property against the lawful claims of all persons claiming by, under or through Grantor, except for the exceptions hereinafter stated.

Title to the Property is subject to the following exceptions and the restrictions set forth on Exhibit B attached hereto and made a part hereof:

1. Taxes for the year 2014 and subsequent years which are not yet delinquent.
2. All enforceable easements, conditions, restrictions and other matters of record.
3. All matters which would be shown by a current, accurate physical survey of the Property.

(signature appears on the following page)

US2008 5344014 3

**BOOK** 1472 **PAGE** 330

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal the day and year first above written.

GRANTOR:

**BLUE TREASURE LLC, a North Carolina limited liability company**

BY: Timothy R. Smith  
TIMOTHY R. SMITH, Manager

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

I, Vanessa T. Jenkins, a Notary Public of the County and State aforesaid, certify that Timothy R. Smith whose identity has been proven by satisfactory evidence, said evidence being:

- I have personal knowledge of the identity of the principal(s)
- I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a \_\_\_\_\_
- A credible witness has sworn to the identity of the principal(s);

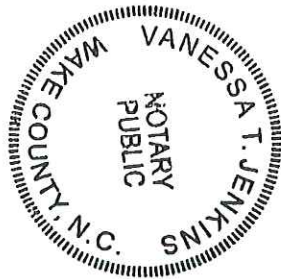
who is the Manager of Blue Treasure LLC, a North Carolina limited liability company, personally appeared before me this day and acknowledged that he is Manager of Blue Treasure LLC and that as Manager being duly authorized to do so, voluntarily executed the foregoing instrument on behalf of said company for the purposes stated therein.

WITNESS my hand and notarial seal, this 19 day of February, 2014.

Vanessa T. Jenkins  
Notary Public

My Commission Expires: 1-21-2018

[AFFIX NOTARY SEAL BELOW-NOTE THAT SEAL MUST BE FULLY LEGIBLE]



US2008 5344014 3

**BOOK 1472 PAGE 330**

EXHIBIT A  
LEGAL DESCRIPTION

Real property in the Town of Beaufort, County of Carteret, State of North Carolina, more particularly described as follows:

Tracts 2A and 2C as shown on that certain Subdivision, R/W Dedication & Easement Map for Tracts "2", "2A", "2B" and "2C", recorded on February 25, 2014 in Map Book 32, Page 458, in the Carteret County Registry.

Together with:

Tract 1A as shown on that certain Subdivision, Recombination & R/W Dedication Map for Tracts "1" and "1A", recorded on February 25, 2014 in Map Book 32, Page 457, in the Carteret County Registry.

US2008 5344014 3

**BOOK 1472 PAGE 330**

EXHIBIT B  
RESTRICTIONS

1. The use of the Property shall be restricted to:
  - a) the retention, treatment, and disposal of treated wastewater according to the North Carolina Department of Environment and Natural Resources, Division of Water Quality permit (number WQ0032262) for a 350,000 gpd capacity high infiltration system (the "High Infiltration Permit") and the state or federal regulations incorporated therein, and any amendments, modifications and extensions thereof; a wet wastewater retention pond,
  - b) park, nature trails, and/or passive recreational purposes, or
  - c) gravel or paved driveway and parking, to be constructed and maintained by Grantee at its sole cost and expense, on Tract 1A in the location shown as "Town Parking Limits" on Exhibit B-1 attached hereto and made a part hereof for up to ten (10) spaces during the time such property is used as a park or nature trail for use by visitors to such park or trail (and in no event for parking for any other purpose including, without limitation, overflow parking for Grantee vehicles);

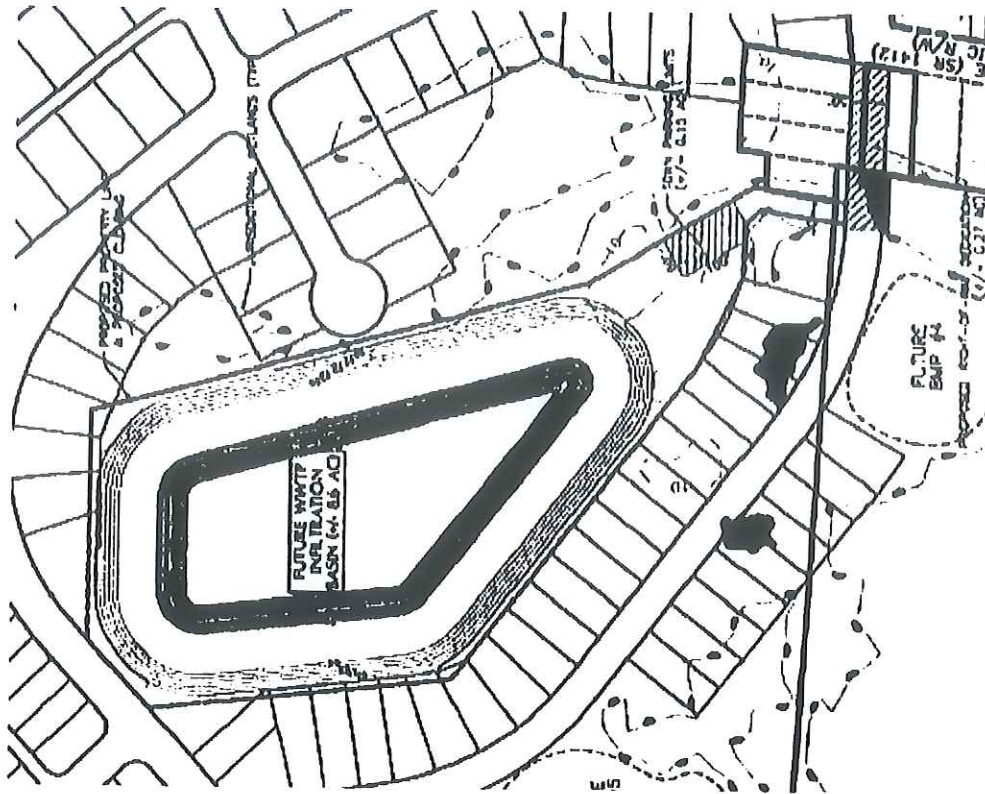
provided, however, that in no event shall artificial lighting be permitted on the Property except as required by the High Infiltration Permit and the state or federal regulations incorporated therein nor shall any active or organized recreational purposes be allowed, including, without limitation, sports fields.

2. The restrictions set forth in this Exhibit B shall be perpetual. The restrictions set forth in this Exhibit B shall run with the land (the Property) and shall be enforceable by Grantor, Grantor's personal representatives, heirs, successors and assigns, lessees, agents and licensees. The Grantor or its authorized representatives, successors and assigns shall have the right to enter the Property at all reasonable times for the purpose of inspecting said Property to determine if the Grantee is complying with the restrictions set forth in this Exhibit B.
3. To accomplish the purposes of this Exhibit B, Grantor is allowed to prevent any activity on or use of the Property that is inconsistent with the restrictions set forth in this Exhibit B. Upon any breach of the restrictions set forth in this Exhibit B that is not cured within thirty (30) days after receipt of notice of such violation, Grantor may enforce the restrictions set forth in this Exhibit B by appropriate legal proceedings including damages, injunctive and other relief.
4. Notwithstanding the foregoing, the Grantor reserves the immediate right to obtain a temporary restraining order, injunctive or other appropriate relief if the breach of the restrictions set forth in this Exhibit B is or would irreversibly or otherwise materially impair the benefits to be derived from the restrictions set forth in this Exhibit B. The Grantor and Grantee acknowledge that under such circumstances damage to the Grantor would be irreparable and remedies at law will be inadequate. The rights and remedies of the Grantor provided hereunder shall be in addition to, and not in lieu of, all other rights and remedies available to Grantor in connection with the restrictions set forth in this Exhibit B. The costs of a breach, correction or restoration, including the Grantor's expenses, court costs, and attorneys' fees, shall be paid by Grantee, provided Grantee is determined to be responsible for the breach.
5. No failure on the part of the Grantor to enforce any restrictions set forth in this Exhibit B shall discharge or invalidate such restriction or affect the right to Grantor to enforce the same in the event of a subsequent breach or default.

US2008 5344014 3

**BOOK 1472 PAGE 330**

**EXHIBIT B-1**



This map is not a certified survey and has not been reviewed by a local government agency for compliance with any applicable land development restrictions.

US2008 5344014 3

**BOOK 1472 PAGE 330**



Melanie Arthur 4P  
CARTERET COUNTY  
MA Date 10/15/2008 Time 12:24:00  
GR 1288233 Page 1 of 4

CARTERET COUNTY  
36494 10/15/2008  
\$350.00



Real Estate  
Excise Tax

NORTH CAROLINA, CARTERET COUNTY  
This instrument and this certificate are duly filed at the date and time and in the Book and Page shown on the first page hereof.

Melanie Arthur, Register of Deeds  
By [Signature]  
Deputy, Register of Deeds

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$ 350.00

Parcel Identifier No. 7306.20.80.2280 Verified by \_\_\_\_\_ County on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_  
By: \_\_\_\_\_

Mail/Box to: Kenneth L. Eagle, Higgins, Frankstone, Graves & Morris, P.A., 14600 Weston Parkway, Suite 300, Cary, NC

This instrument was prepared by: Debra Whaley, 209 N 35th Street, Morehead City, NC 28557

Brief description for the Index: LOT ON RUSSELL DR, BEAUFORT

THIS DEED made this 10th day of October, 2008, by and between

**GRANTOR**  
Dianne B. Brown, Unmarried AND  
Richard S. Burbridge and Wife  
Alise Burbridge

**GRANTEE**  
Blue Treasure, LLC  
A NC Limited Liability Company  
P.O. Box 3557  
Cary, NC 27519

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of \_\_\_\_\_, Beaufort Township, Carteret County, North Carolina and more particularly described as follows:  
SEE ATTACHED

NO TITLE SEARCH COMPLETED BY NOR REQUESTED OF PREPARING ATTORNEY

EXHIBIT A PROVIDED BY CLOSING ATTORNEY

The property hereinabove described was acquired by Grantor by instrument recorded in Book 1116 page 143.

A map showing the above described property is recorded in Plat Book \_\_\_\_\_ page \_\_\_\_\_.

NC Bar Association Form No. L-3 © 1976, Revised © 1977, 2002

Printed by Agreement with the NC Bar Association - 1981 SoftPro Corporation, 333 E. Six Forks Rd., Raleigh, NC 27609

BOOK 1209 PAGE 233  
76

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TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

\_\_\_\_\_  
(Entity Name)

By: \_\_\_\_\_ (SEAL)  
Title: \_\_\_\_\_  
Dianne B. Brown

By: \_\_\_\_\_ (SEAL)  
Title: \_\_\_\_\_

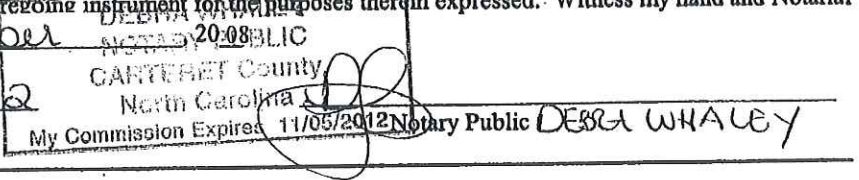
By: \_\_\_\_\_ (SEAL)  
Title: \_\_\_\_\_



State of North Carolina - County of Carteret  
I, the undersigned Notary Public of the County and State aforesaid, certify that Dianne B. Brown

personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 3 day of October

My Commission Expires: 11-5-2012



State of North Carolina - County of \_\_\_\_\_  
I, the undersigned Notary Public of the County and State aforesaid, certify that \_\_\_\_\_ personally came before me this day and acknowledged that he is the \_\_\_\_\_ of \_\_\_\_\_

\_\_\_\_\_ a North Carolina or \_\_\_\_\_ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

My Commission Expires: \_\_\_\_\_ Notary Public

State of North Carolina - County of \_\_\_\_\_  
I, the undersigned Notary Public of the County and State aforesaid, certify that \_\_\_\_\_

Witness my hand and Notarial stamp or seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

My Commission Expires: \_\_\_\_\_ Notary Public

The foregoing Certificate(s) of \_\_\_\_\_ is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

By: \_\_\_\_\_ Register of Deeds for \_\_\_\_\_ County  
Deputy/Assistant - Register of Deeds

*[Signature]* (SEAL)  
RICHARD S. BURBRIDGE

*[Signature]* (SEAL)  
ALISE BURBRIDGE

STATE OF MA  
COUNTY OF NORFOLK

I, Gail Robin Cazeault, Notary Public of the County and State aforesaid, certify that RICHARD S. BURBRIDGE AND ALISE BURBRIDGE, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and seal, this 29 day of Sept., 2008.

*Gail Robin Cazeault*  
Notary Public

My Commission Expires: \_\_\_\_\_

(SEAL)



**GAIL ROBIN CAZEULT**  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires June 4, 2015

**EXHIBIT A  
PROPERTY DESCRIPTION**

(Note: Recording references are to the Carteret County, NC Registry. Also, Leonda Drive formerly was known as Russell Drive and Freedom Park Road foirmerly may have been known as Conway Avenue )

LYING AND BEING near the Town of Beaufort, in Carteret County, North Carolina, adjoining the western margin of the right of way of Leonda Drive (North Carolina State Road 1412), and being more particularly described as follows:

BEGINNING at an iron stake on the West line of Russell Drive (SR 1412), which iron stake is located S 16-30 W 20.00 feet from the Northwest corner of Russell Drive at it's intersection with the North line of a street known as Conway Avenue; running thence from said point of beginning, S 16-30 W with the West line of SR 1412, 68.8 feet to an iron pipe; thence N 80-48 W 150 feet to an iron pipe; thence N16-30 E 68.8 feet to an iron pipe; thence S 80-48 E 150 feet to the POINT OF BEGINNING; being shown on a survey prepared by Collier Survey dated July 21, 1995, and being that same property described in Book 334, Page 459, Carteret County Registry.

The foregoing description was copied from a deed recorded in GR 1116143.

IN ADDITION TO THE FOREGOING, the Grantor conveys the Property to the Grantee, without any warranties, in accordance with the following description:

BEGINNING at an existing iron pipe (a "Control Corner") at the southwest corner of the Property herein described, a common corner with the northwest corner of property owned now or formerly by Carol Mitchell (see deed recorded in Book 377, Page 47) in the eastern boundary line of property owned now or formerly by Arrington, said existing iron pipe being located South 48 degrees 36 minutes 36 seconds East 5739.06 (horizontal ground distance) from N. C. G. S. Monument "Beaufort"; then running with the eastern boundary line of said property of Arrington, North 09 degrees 26 minutes 43 seconds East 68.66 feet to an existing iron pipe in the southern margin of a 20 foot wide access road (see deeds recorded in Book 1262, Page 311 and Book 945, Page 379); then with the southern margin of said 20 foot access road, South 87 degrees 44 minutes 14 seconds East 149.95 feet to an existing iron pipe on the western margin of the right of way of Leonda Drive (North Carolina State Road 1412); then with the western margin of the right of way of Leonda Drive, South 09 degrees 30 minutes 36 seconds West 68.76 feet to an existing iron pipe at the northeast corner of the above-referenced property of Mitchell; then leaving the western margin of the right of way of Leonda Drive and running with the northern boundary line of Mitchell, North 87 degrees 42 minutes 11 seconds West 149.86 feet to the point of Beginning, and being identified as "Tract A", containing 0.236 acres, more or less, on a survey by Miles O McCall, III, Professional Land Surveyor, of Withers & Ravenel, dated 9-19-08 and entitled "BROWN/BURBRIDGE TRACT" (Project No. 03061519).

IN ADDITION TO THE FOREGOING, the Grantor conveys to the Grantee any and all right, title, and interest that the Grantor has in and to the 20 foot wide access road adjoining the northern boundary line of the Property.

~~BOOK 1298~~ ~~PAGE 233~~

NORTH CAROLINA, CARTERET COUNTY  
This instrument and this certificate are duly filed at the date and time and in the Book and Page shown on the first page hereof.

Melanie Arthur 3P  
CARTERET COUNTY  
BWC Date 03/13/2008 Time 10:35:00  
GR 1262311 Page 1 of 3

Melanie Arthur, Register of Deeds  
By Melanie Arthur  
Asst. Deputy, Register of Deeds

Type Of Instrument: Deed  
Prepared By and Mail To: Kenneth L. Eagle, 14600 Weston Parkway, Suite 300, Cary, NC 27513  
Excise Tax \$ 0 Parcel I.D. No. PIN

NORTH CAROLINA NON-WARRANTY DEED

THIS DEED is made this 5<sup>th</sup> day of MARCH, 2008, by and between:

GRANTOR: STERLING CHADWICK HELLER AND JOSEPH HELLER

GRANTEE: BLUE TREASURE LLC

Address: P. O. Box 3557  
Cary, NC 27519

(The designation of Grantor and Grantee as used herein shall include said parties, their heirs, successors and assigns, and shall include the singular, plural, masculine, feminine or neuter as required by the context,)

WITNESSETH: THE GRANTOR, for a valuable consideration paid by the Grantee, the sufficiency and receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee, in fee simple, all that certain real property, lying and being in Carteret County, North Carolina, and being more particularly described as follows (and hereinafter being referred to as the "Property"):

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED BY REFERENCE

The Property was acquired by Sterling Chadwick Heller by inheritance from her father, John Quick Chadwick (see Carteret County Estate File No. 72 E 140). Alberta Chadwick, widow of John Quick Chadwick and mother of Sterling Chadwick Heller, died on August 24, 1984.

TO HAVE AND TO HOLD the Property and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

The Grantor makes no warranty, express or implied, as to title to the Property, and is conveying to the Grantee all right, title, and interest in the Property, if any, that is owned by the Grantor.

Joseph Heller is the husband of Sterling Chadwick Heller and joins in the execution of this Deed to convey and release to the Grantee all right, title, and interest in the Property that he currently owns and any and all right, title, and interest in the Property that he currently has or may become entitled to as the husband of Sterling Chadwick Heller, including, without limitation, by any dissent from the will of Sterling Chadwick Heller, by any intestate succession laws in the North Carolina General Statutes, and by any equitable distribution of marital property under the laws of the State of North Carolina.

(keagle\realprop.clo\08007re deed1)

BOOK 1262 PAGE 311

3

IN WITNESS WHEREOF, each Grantor, having adopted the word "SEAL" as her/his seal for the execution hereof, has executed and affixed her/his seal to this instrument, the day and year first above written.

*Sterling Chadwick Heller* (SEAL)  
STERLING CHADWICK HELLER

*Joseph Heller* (SEAL)  
JOSEPH HELLER

State of Texas, County or City of Aransas

I certify that the following persons personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: Sterling Chadwick Heller and Joseph Heller.

Date: March 5, 2008

*Joni Frank*  
Notary Public  
Printed/Typed Name: JONI FRANK  
My Commission Expires: 02/12/12

(affix stamp or seal here)



(keagle\realprop.clo\08007re deed1)

BOOK 1262 PAGE 311

**EXHIBIT A  
TO  
DEED**

LYING AND BEING in Carteret County, North Carolina, and being more particularly described as follows:

ALL OF the "1<sup>st</sup> Tract" and all of the "2<sup>nd</sup> Tract" described in a deed from Evelyn C. Smith and husband Harvey W. Smith to John Q. Chadwick dated June 17, 1958 and recorded in the office of the Carteret County Register of Deeds in Book 204, Page 22, said deed being incorporated by reference as if fully set out herein, less and except all portions of said 1<sup>st</sup> Tract and 2<sup>nd</sup> Tract previously conveyed by John Q. Chadwick or Sterling Chadwick Heller.

NOTE: The specific portions of said 1<sup>st</sup> Tract that the Grantor, Sterling Chadwick Heller, may have an ownership interest in include, but may not be limited to, the following:

1. a 20 foot wide strip of land that runs from the northwest corner of the intersection of Freedom Park Road and Leonda Drive (North Carolina State Road 1412) in a westerly direction a distance of approximately 150 feet to the eastern boundary of property owned by the heirs of Mary Arrington. The northern boundary line of this 20 foot wide strip runs from the northwest corner of the intersection of Freedom Park Road and Leonda Drive to a point at the southeast corner of property now owned by Blue Treasure LLC and acquired by Blue Treasure LLC by deeds recorded in the office of the Carteret County Register of Deeds in Book 1241, Page 315 (also known as GR 1231315) and Book 1241, Page 316 (also known as GR 1231316). This property now owned by Blue Treasure LLC is referred to in the following paragraph no. 2 of this Exhibit A as the property of H. C. Jones. The southeast corner of this property now owned by Blue Treasure LLC is a common corner with the northeast corner of the property owned by the heirs of Mary Arrington.

2. a "lot" that is approximately 150 feet x 50 feet, the southern boundary line of which is approximately 50 feet long and adjoins the northern margin of the foregoing 20 foot wide strip of land. The southeast corner of this lot is a common corner with the northeast corner of the 20 foot wide strip of land. The eastern and northern boundary lines of this lot adjoins portions of the western boundary line of "Tract One" as described in the deed from Alberta Chadwick, Sterling Chadwick Heller, and Joseph Heller to Karl B. Pace dated April 13, 1979 and recorded in the office of the Chatham County Register of Deeds in Book 425, Page 279, said deed being incorporated by reference as if fully set out herein. The southeast corner of this lot is a common corner with the beginning point of said Tract One as described in said deed, and the eastern boundary line of this lot runs with the line of Tract One that is described in said deed as "North 15-34 East 150 feet to a point". The northern boundary line of this lot runs with the first 50 feet a line of said Tract One that is described in said deed as "North 80-50 West 150 feet to a point in H. C. Jones' eastern boundary".

(keagle\realprop.clo\08007re deed1)

BOOK 1262 PAGE 311

FOR REGISTRATION REGISTER OF DEEDS  
Joy Lawrence  
Carteret County, NC  
April 26, 2010 02:50 PM  
COUNTER TRANSFER 3 P  
FEE: \$25.00  
FILE # 1340006



FILE # 1340006

NORTH CAROLINA, CARTERET COUNTY  
This instrument and this certificate are duly filed at  
the date and time and in the Book and Page shown  
on the first page hereof.

By Joy Lawrence, Register of Deeds  
Asst. Deputy, Register of Deeds

*Handwritten mark*

7305.08.89.6728.000

NORTH CAROLINA  
CARTERET COUNTY

REGISTERED NO. 80-1-J

TRANSFER OF REGISTERED ESTATE

Virginia Piner, as Administratrix, in her capacity as personal representative of the Estate of John Farrell Piner, 08-E-764, of Carteret County, North Carolina, and Catherine Arrington Baptist, as Executrix of the Estate of Louise M. Arrington, 09-E-340, of Carteret County, North Carolina, hereby, in consideration of the sum of ten dollars (\$10.00) and other valuable consideration, do hereby sell and convey any interests they may have in their capacities as the personal representatives of said Estates, to Blue Treasure, LLC, a Limited Liability Company, whose address is 100 Matrix Drive, Cary, NC 27513; in all of that tract or parcel of land described in Certificate of Title being Registered No. 80-1-J, and more particularly described as follows:

**Lying and being in the Town of Beaufort, Carteret County, North Carolina and beginning at a point that is described as being:**

**The southeast corner of Lot 1, as shown on map of Cat Briar Hollow, a map prepared by Hassell/Pitman, R.L.S. dated April 19, 1982, recorded in Book 18, Page 99, Carteret County Registry; Running thence from said POINT OR PLACE OF BEGINNING, and running with the northern right of way of Lennoxville Road "State Road 1310" S 58-15-06 E, 400.61 feet to a point; running thence from said point N 04-58-32 W, 406.38 feet to a point; thence N 84-03-59 E, 523.80 feet to a point; thence S 04-37-27 W, 397.10 feet to an existing iron pipe; thence N 87-59-27 E, 212.42 feet to a point; thence N 09-29-06 E, 38.42 feet to a point, thence N 09-36-05 E, 217.16 feet to an existing iron pipe; thence N 09-21-46 E, 438.51 feet to a point, as evidence by an existing iron pipe; thence N 09-26-43 E, 68.66 feet to an existing iron pipe;**

3

thence N 11-01-54 E, 33.79 feet to an existing iron pipe; thence N 87-52-39 W, 50.69 feet to an existing iron pipe; thence N 86-35-37 W, 1,048.78 feet to an existing iron pipe "said iron pipe being located S 27-30-40 E, 6,299.35 feet from N.C.G.S. monument Beauport"; running thence from said point S 11-02-39 W, 26.11 feet to a point, the northeast corner of Lot Number 7 as shown on map of Cat Briar Hollow in Map Book 18, Page 99, Carteret County Registry; running thence with the eastern boundary of Lot 7, S 11-03-35 W, 119.60 feet to an existing iron pipe; running thence from said point and running with the eastern boundary of Lots 7, 6, 5, 4, 3, 2 and 1, as shown on map entitled "Cat Briar Hollow", Map Book 18, Page 99, Carteret County Registry, S 01-18-02 W, 566.75 feet to the POINT OR PLACE OF BEGINNING. Together with a right of way as shown in Book 945, Page 379, Carteret County Registry.

The above described tract or parcel of land is subject to easement in Book 1210, Page 482, Carteret County Registry.

See map entitled "Arrington Property Boundary Survey", prepared by Withers and Ravenel last dated January 11, 2008.

The estate herein conveyed is in fee simple, subject to ad valorem taxes for Carteret County and the Town of Beaufort for 2010.

In Witness Whereof, the said Virginia Piner, as Administratrix, in her capacity as personal representative of the Estate of John Farrell Piner, of Carteret County, North Carolina, and Catherine Arrington Baptist, as Executrix of the Estate of Louise M. Arrington, of Carteret County, North Carolina, have hereunto set their hands and seals this 22<sup>nd</sup> day of April, 2010.

Virginia Piner (SEAL)  
Virginia Piner, Administratrix of the Estate of John Farrell Piner

Catherine Arrington Baptist Executrix (SEAL)  
Catherine Arrington Baptist, Executrix of the Estate of Louise M. Arrington

STATE OF NORTH CAROLINA  
COUNTY OF CARTERET

I, the undersigned Notary Public, do hereby certify that **Virginia Piner, as Administratrix of the Estate of John Farrell Piner**, personally appeared before me this day and acknowledged the execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and notarial seal, this 22 day of April, 2010.

Linda C Gillikin  
Notary Public

My Commission Expires:  
11.12.2012



STATE OF NORTH CAROLINA  
COUNTY OF CARTERET

I, the undersigned Notary Public, do hereby certify that **Catherine Arrington Baptist, as Executrix of the Estate of Louise M. Arrington** personally appeared before me this day and acknowledged the execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and notarial seal, this 22 day of April, 2010.

Linda C Gillikin  
Notary Public

My Commission Expires:  
11.12.2012





SURVEY CERTIFICATE

I, RUDOLF A. VANDERVELDE JR., PLS, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN (SEE MAP REFERENCES); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK (SEE MAP REFERENCES); THAT THE RATIO OF PRECISION AS CALCULATED IS 1:20,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS XX DAY OF XXXXXX A.D., 2022.

RUDOLF A. VANDERVELDE JR. (PROFESSIONAL LAND SURVEYOR) LICENSE # 5146



TYPE OF PLAT

I, RUDOLF A. VANDERVELDE JR., PROFESSIONAL LAND SURVEYOR LICENSE NO. L-5146, CERTIFY TO ONE OF THE FOLLOWING AS CHECKED BELOW:

D. THAT THIS PLAT IS OF A SURVEY OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXEMPTION OR EXCEPTION TO THE DEFINITION OF SUBDIVISION.

CERTIFICATE OF OWNERSHIP

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTIES SHOWN HEREON AND DESCRIBED IN THE REFERENCES SHOWN HEREON, WHICH PROPERTY IS LOCATED WITHIN THE SUBDIVISION REGULATION JURISDICTION OF THE TOWN OF BEAUFORT, NORTH CAROLINA, AND THAT I HEREBY FREELY ADOPT THIS PLAN OF ANNEXATION.

BLUE TREASURE LLC
PRINT:
SIGN: DATE
TITLE:

ANNEXATION AREAS
AREA #1: 27,991 SQ FT, 0.643 AC
AREA #2: 15,215 SQ FT, 0.349 AC
TOTAL AREA: 43,206 SQ FT, 0.992 AC

GENERAL NOTES

- 1. AREAS COMPUTED BY COORDINATE METHOD.
2. BASIS OF BEARING NAD 83(1986).
3. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
4. NO PORTION OF THE SUBJECT PROPERTY IS LOCATED IN SPECIAL FLOOD HAZARD ZONES ACCORDING TO NORTH CAROLINA FLOOD INSURANCE RATE MAP # 3720730600J, PANEL 7306, EFFECTIVE DATE: 7-16-2003
5. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE EXAMINATION AND IS MADE SUBJECT TO ANY DOCUMENT OF RECORD WHICH MAY AFFECT SUBJECT PROPERTY
6. THE TOWN OF BEAUFORT SHOULD BE CONTACTED TO VERIFY BUILDING SETBACKS AND OTHER DEVELOPMENTAL RESTRICTIONS.
7. NCGS MONUMENT WAS NOT FOUND WITHIN 2000' OF THE SUBJECT PROPERTY
8. EXISTING CONDITIONS INCLUDING UNDERGROUND UTILITIES NOT SHOWN HEREON. THE AREAS WITHIN THE ANNEXATION BOUNDARIES ARE ALL UNDER CONSTRUCTION AT THE TIME OF THIS SURVEY
9. THE ONLY PURPOSE OF THIS PLAT IS TO DEPICT AND DESCRIBE THE AREAS TO BE ANNEXED TO BEAUFORT CORPORATE LIMITS

ANNEXATION CERTIFICATE

I, THE CLERK OF THE TOWN OF BEAUFORT, DO CERTIFY THAT THE BEAUFORT BOARD OF COMMISSIONERS APPROVED THIS MAP AND THE SITE HAS BEEN APPROVED FOR ANNEXATION AND RECORDING IN THE OFFICE OF THE REGISTER OF DEEDS:

DATE:
TOWN CLERK:

ADOPTED BY THE TOWN OF BEAUFORT BOARD OF COMMISSIONERS - ORDINANCE # DATED

EFFECTIVE DATE OF ORDINANCE:

REVIEW OFFICER CERTIFICATE

I, REVIEW OFFICER OF CARTERET COUNTY, CERTIFY THAT THIS MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER

DATE

NORTH CAROLINA CARTERET COUNTY

REGISTER OF DEEDS

FILED FOR REGISTRATION AT O'CLOCK ON

THE DAY OF 2022

RECORDED IN MAP BOOK PAGE

REGISTER OF DEEDS CARTERET COUNTY DATE

LEGEND

- AC - ACRES
CP - COMPUTED POINT
IPF - IRON PIPE FOUND
MB - MAP BOOK
PB - PLAT BOOK
R/W - RIGHT OF WAY
RBF - REBAR FOUND
SQ FT - SQUARE FEET
TOB - TOWN OF BEAUFORT

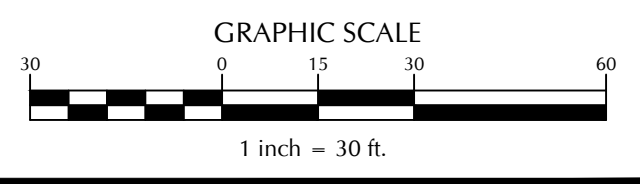
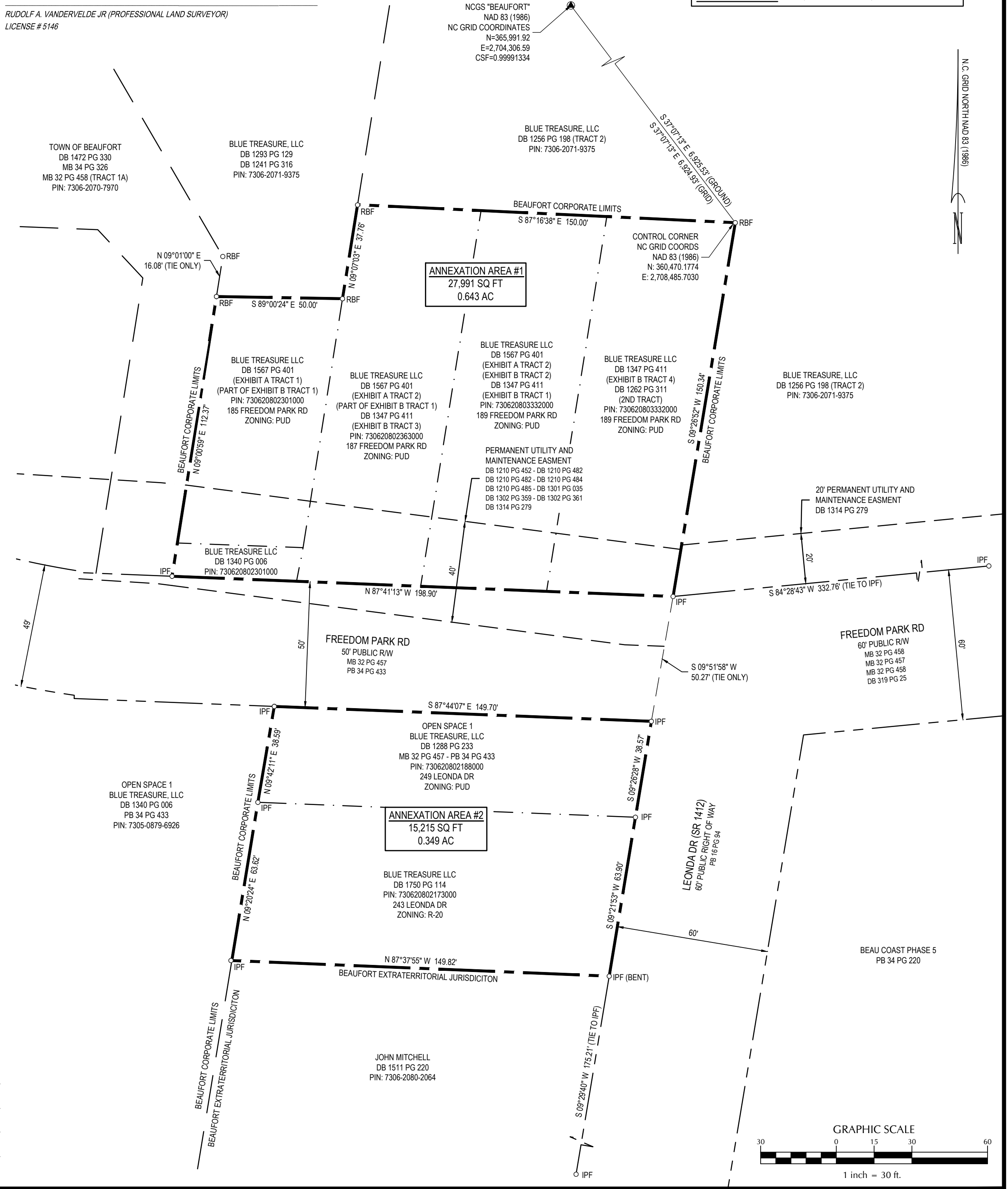
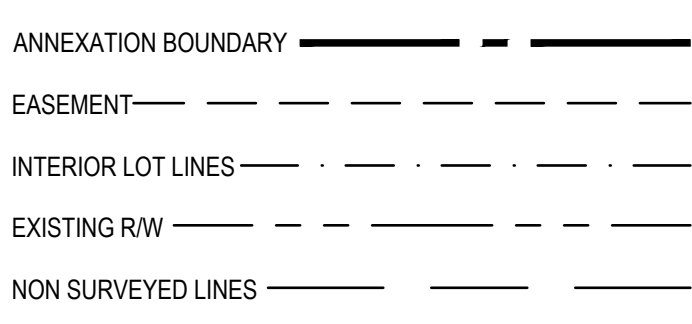


Table with columns: OWNER INFO, REVISIONS, DATE. Includes details for Blue Treasure LLC and project information.

ANNEXATION MAP FOR THE TOWN OF BEAUFORT
OWNER: BLUE TREASURE LLC
TOWNSHIP: BEAUFORT COUNTY: CARTERET STATE: NORTH CAROLINA
ZONING: R-20 PIN: MULTIPLE - SEE MAP SHEET 1 OF 1

WithersRavenel Engineers | Planners | Surveyors
115 MacKenan Drive | Cary, NC 27511 | t: 919.469.3340 | license #: F-1479 www.withersravenel.com



**Town of Beaufort, NC**

701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516  
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

**Board of Commissioners  
Regular Meeting  
6:00 PM Monday, November 14, 2022  
Train Depot, 614 Broad Street**

---

**AGENDA CATEGORY:** Items for Discussion and Consideration  
**SUBJECT:** Human Resources- Amendments to Personnel Policy

**REQUESTED ACTION:**  
Approval of attached amendments to the current Town of Beaufort Personnel Policy. Areas of concentration: Random Drug Testing and Telecommuting Policy.

**EXPECTED LENGTH OF PRESENTATION:**  
5 Minutes

**SUBMITTED BY:**  
Barbara Cooper, Human Resources Manager

**BUDGET AMENDMENT REQUIRED:**  
N/A

### Random Drug Testing

Employees who are required to hold a Commercial Driver’s License “(CDL)” for the purpose of performing their duties or as a condition of employment are subject to random drug testing as are all safety sensitive positions including fire, EMS and police with the exception of administrative personnel. Employees who regularly drive town vehicles are also subject to random drug testing.

**Temporary Telecommuting Policy**

In the event of an emergency such as a weather disaster or pandemic, the Town of Beaufort may allow or require employees to temporarily work from home to ensure business continuity.

Procedures:

In the event of an emergency, the Town of Beaufort may require certain employees to work remotely. These employees will be advised of such requirements by the department manager. Preparations should be made by employees and managers well in advance to allow remote work in emergency circumstances. This includes appropriate equipment needs, such as hardware, software, phone and data lines.

For voluntary telework arrangements, either the employee or department manager can initiate a temporary telecommuting agreement during emergency circumstances. The employee and manager will discuss the job responsibilities and determine if the job is appropriate for a telecommuting arrangement, including equipment needs, workspace design considerations and scheduling issues.

A telecommuting agreement will be prepared by human resources and signed by the employee and his or her manager.

The employee will establish an appropriate work environment within his or her home for work purposes. The Town of Beaufort will not be responsible for costs associated with the setup of the employee's home office, such as remodeling, furniture or lighting, nor for repairs or modifications to the home office space.

The Town of Beaufort will determine the equipment needs for each employee on a case-by-case basis. Equipment supplied by the organization is to be used for business purposes only.

Consistent with the organization's expectations of information security for employees working at the office, telecommuting employees will be expected to ensure the protection of proprietary company and customer information accessible from their home office.

Employees should not assume any specified period of time for emergency telework arrangements, and Town of Beaufort may require employees to return to regular, in-office work at any time.



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**Board of Commissioners  
Regular Meeting  
6:00 PM Monday, November 14, 2022  
Train Depot, 614 Broad Street**

---

**AGENDA CATEGORY:** Items for Discussion and Consideration  
**SUBJECT:** Setting Date to Conduct Manager Evaluation

**REQUESTED ACTION:**

Set a Special Meeting date allowing the Board of Commissioners the opportunity to conduct the Town Manager’s evaluation.

**EXPECTED LENGTH OF PRESENTATION:**

1 Minutes

**SUBMITTED BY:**

Sharon Harker, Mayor

**BUDGET AMENDMENT REQUIRED:**

N/A



**Town of Beaufort, NC**

701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516  
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

**Board of Commissioners  
Regular Meeting  
6:00 PM Monday, November 14, 2022  
Train Depot, 614 Broad Street**

**AGENDA CATEGORY:** Public Hearing

**SUBJECT:** Rezoning of 243 Leonda Drive from R-20 to RS-5.

**BRIEF SUMMARY:**

The applicant wishes to rezone 243 Leonda Drive (PIN 730620802173000) from R-20 to RS-5. The Planning Board voted unanimously to recommend the rezoning request with the condition that the property is annexed.

**REQUESTED ACTION:**

Discussion and Public Hearing on Proposed Rezoning

**EXPECTED LENGTH OF PRESENTATION:**

15 Minutes

**SUBMITTED BY:**

Samantha Burdick, CFM  
Town Planner

**BUDGET AMENDMENT REQUIRED:**

N/A



Attachment - A

# Staff Report

**To:** Board of Commissioners  
**From:** Samantha Burdick, CFM

**Date:** 10/18/2022  
**Meeting Date:** 11/14/2022

## Case Number 22-18

### Summary of Request:

Rezone 243 Leonda Drive (.223 acres) R-20 to RS-5

### Background

#### Location(s) & PIN

730620802173000

#### Owners Applicant

Blue Treasure LLC  
Same as Owner

#### Current Zoning

R-20

#### Lot(s) Size & Conformity Status

9,713 square feet - Non- Conforming

#### Existing Land Use

Vacant

#### Adjoining Land Use & Zoning

**North** Beau Coast Amenity Center zoned – PUD  
**South** Single Family zoned – R-20  
**East** Across Leonda Single Family zoned – PUD  
**West** Beaufort East Village zoned – PUD

#### Special Flood Hazard Area

Yes  No

#### Public Utilities

Water

Available  Not Available (currently)

Sewer

Available  Not Available (currently)

#### Additional Information

See Staff Comments

#### Requested Action

Conduct Public Hearing for Discussion.

Provide recommendation to the Board of Commissioners to:

- Approve the request;
- Approve the request with conditions; or
- Deny the request

**Staff Comments**

- This lot was a mobile home lot prior to Blue Treasures purchase.
- The property is in the Town’s Extraterritorial Jurisdiction. The Town Clerk has received an application for annexation of and is currently investigating the merit of that request. If approved, the lot would have Town water and sewer access.
- The property is approximately 9,713 square feet (0.223) acres and does not meet the minimum lot size of 20,000 square feet for R-20. It would meet the RS-5 minimum lot size of 5,000 square feet.
- The density of the zoning request is consistent with the adjacent Planned Unit Development.
- RS-5 Residential Single-Family Development District has a maximum impervious surface requirement of 50%. If rezoned, the property may have no greater than 50% impervious coverage.
- The property would meet the R-8 Medium Density Residential District minimum lot size of 8,000 square feet. However, there is no impervious surface requirement associated with the R-8 zoning district.
- The Planning Board voted unanimously at their October 17<sup>th</sup> regular meeting to recommend approval of the request with the condition that the property is annexed.

**CAMA Core Land Use Plan – Future Land Use Classifications**

**Current: Low Density Residential (corresponding to zone R-20)**

The Low Density Residential classification is intended to delineate lands where the predominant land use is low density detached residences. The residential density within this classification is generally 2 or less dwelling units per acre. The minimum lot size is 20,000 square feet unless a larger minimum lot area is required by the health department for land uses utilizing septic systems. Single-family detached residences are the predominant types of dwellings within these areas. Manufactured homes on individual lots are also dwelling types found within this classification. Land uses with Low Density Residential-designated areas are generally compatible with the R-20 Single-Family Residential Zoning District. Public water service is widely available throughout the Low Density Residential-classified areas. Public sewer service is generally not available within this classification.

**Proposed: High Density Residential (corresponding to zone RS-5)**

The High Density Residential classification is intended to delineate lands where the predominant land use is higher density single-family residential developments and/or multifamily developments. The residential density within this classification is generally 6 to 16 dwelling units per acre. The minimum lot size is 2,750 square feet per unit unless a larger minimum lot area is required by the health department for land uses utilizing septic systems. Land uses with High Density Residential-designated areas are generally compatible with RC-5, Residential Cluster Development and the RS-5, Residential Single-Family 5 Development Zoning Districts. Public water and sewer service is required to support the residential densities in this classification. Streets with the capacity to accommodate higher traffic volumes are also necessary to support High Density Residential development.

**Additional Information**

**The current R-20 Residential District Standards**

Minimum Lot Size	20,000 Square Feet
Minimum Lot Width	100 Feet
Maximum Building Height	40 Feet

Interior Lot Setbacks

Front 30 Feet  
Rear 25 Feet  
Side 15 Feet

No Maximum Impervious Surface Coverage Requirement

The requested **RS-5 Standards** –

Minimum Lot Size	5,000 Square Feet	Setbacks
Minimum Lot Width	50 Feet	Front 20 Feet
Maximum Building Height	35 Feet	Rear 15 Feet
		Side 5 Feet

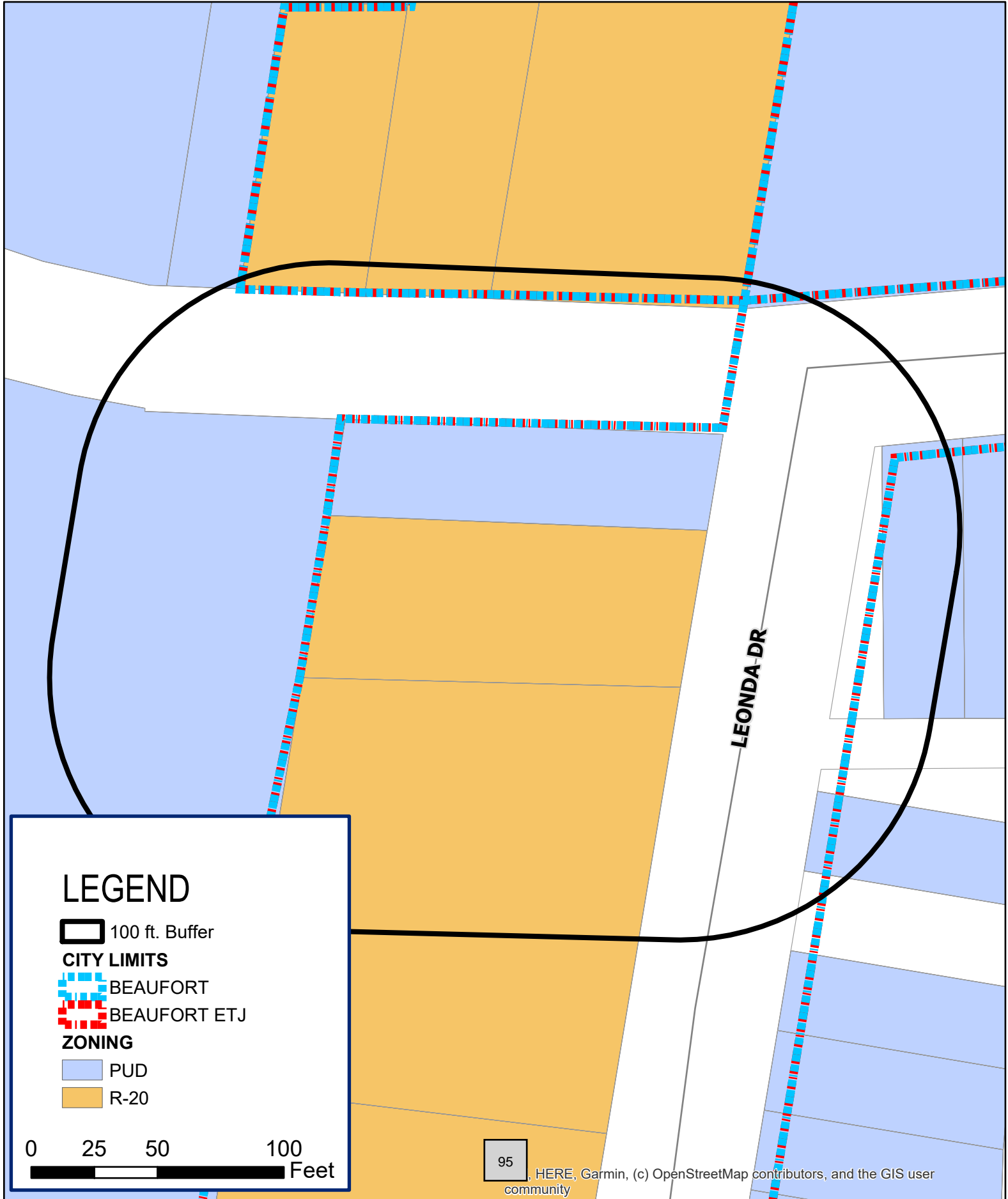
Maximum Impervious Coverage is 50% of square footage of individual lot

**Attachments:**

- Attachment B - Vicinity & Zoning Map with 100' Notification Buffer
- Attachment C – Future Land Use Map
- Attachment D - Owners Within 100'
- Attachment E – Owners Application & Information



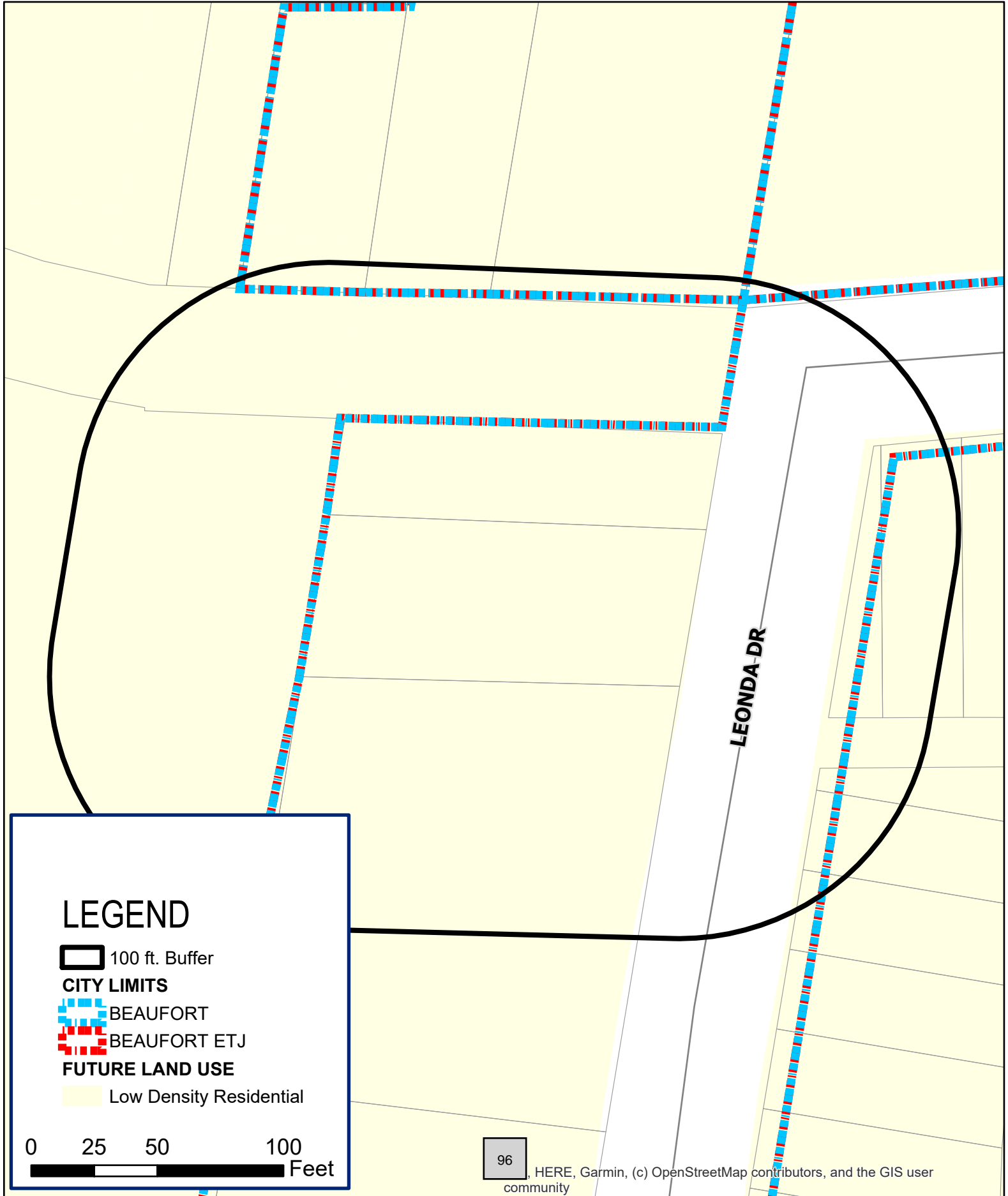
# 243 LEONDA DRIVE VICINITY MAP 1.





# 243 LEONDA DRIVE FUTURE LAND USE MAP

1.



## LEGEND

100 ft. Buffer

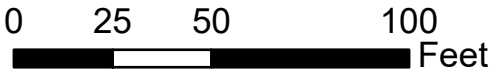
### CITY LIMITS

BEAUFORT

BEAUFORT ETJ

### FUTURE LAND USE

Low Density Residential



96

HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

<u>OWNER</u>	<u>MAIL_HOL</u>	<u>MAIL_ST</u>	<u>MAIL_CITY</u>	<u>IL_ST/MAIL_ZI</u>	<u>MAIL_ADD2</u>
MITCHELL,EULA L/T	237	LEONDA DRIVE	BEAUFORT	NC 28516	
BLUE TREASURE LLC			CARY	NC 27519	PO BOX 3557

219 Station Road, Suite 101  
Wilmington, NC 28405  
t: 910.256.9277 | f: 919.467.6008

TO: Kyle Garner  
Planning Director  
Town of Beaufort

DATE:	09/30/2022	PROJ. NO.:	02080976.20
ATTENTION:	Kyle Garner		
RE:	Amended Rezoning app 243 Leonda Drive		

**WE ARE SENDING YOU THE FOLLOWING ITEMS:**

- |  |   |                                |                                  |   |  |
|--|---|--------------------------------|----------------------------------|---|--|
| <input checked="" type="checkbox"/> Attached | <input type="checkbox"/> Under Separate Cover Via |                                |                                  |   |  |
| <input type="checkbox"/> Shop Drawings       | <input type="checkbox"/> Prints                   | <input type="checkbox"/> Plans | <input type="checkbox"/> Samples | <input type="checkbox"/> Specifications |  |
| <input type="checkbox"/> Copy of Letter      | <input type="checkbox"/> Change Order             | <input type="checkbox"/> Disk  | <input type="checkbox"/> Other   |   |  |

COPIES	DESCRIPTION
1	Amended Rezoning app - 243 Leonda Drive

**THESE ARE TRANSMITTED as checked below:**

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> For approval | <input type="checkbox"/> Approved as submitted            | <input type="checkbox"/> Resubmit _____ copies for approval   |
| <input type="checkbox"/> For your use            | <input type="checkbox"/> Approved as noted                | <input type="checkbox"/> Submit _____ copies for distribution |
| <input type="checkbox"/> As requested            | <input type="checkbox"/> Returned for corrections         | <input type="checkbox"/> Return _____ corrected prints        |
| <input type="checkbox"/> For review and comment  | <input type="checkbox"/> Other _____                      |   |
| <input type="checkbox"/> For bids due _____      | <input type="checkbox"/> Prints returned after loan to us |   |

**REMARKS:**

<b>COPY TO:</b>	<u>Julie Wilson</u> <a href="mailto:jwilson@withersravenel.com">jwilson@withersravenel.com</a> 910.256.9277	<b>SIGNED:</b>	<u>Don Mizelle</u> <a href="mailto:dmizzelle@withersravenel.com">dmizzelle@withersravenel.com</a> 919.535.5237
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**QA/QC:** \_\_\_\_\_

*If enclosures are not as noted, kindly notify us at once.*



Town of Beaufort  
701 Front St. • P.O. Box 390 • Beaufort, N.C. 28516  
252-728-2141 • 252-728-3982 fax  
[www.beaufortnc.org](http://www.beaufortnc.org)

**APPLICATION FOR AN AMENDMENT TO THE  
BEAUFORT ZONING MAP**

**Instructions:**

Please complete the application below, include all the required attachments and the **\$300.00** for **Rezoning request with no Land Use Plan Change** or **\$400.00** for **Rezoning Request with Land Use Plan Change** and return to the Beaufort Town Hall, 701 Front Street or P.O. Box 390, Beaufort, N.C., 28516. Incomplete applications will not be processed and **will be** returned to the applicant. Please contact Planning and Inspections at 252-728-2142 if there are any questions.

**APPLICANT INFORMATION**

Applicant Name: Blue Trespure LLC  
Applicant Address: 105 Weston Estates Way Cary NC 27513  
Phone Number: (919) 481-3000 Email: karl@prestondev.com

Property Owner Name: Blue Treasure LLC  
Address of Property Owner: 105 Weston Estates Way  
Phone Number: (919) 481-3000 Email: karl@prestondev.com

**PROPERTY INFORMATION**

Property Address: 243 Leonda Drive  
15-Digit PIN: 730620802173000 Lot/Block Number: n/a  
Size of Property (in square feet or acres): 0.223  
Current Zoning: R-20 Requested Zoning: RS-5

Current Use of Property:  Residential  Vacant  Commercial  Other: \_\_\_\_\_

Tim Smith  
Applicant Signature \_\_\_\_\_ Date of Applicant's Signature 7-18-22

Tim Smith  
Property Owner Signature (if different than applicant) \_\_\_\_\_ Date of Owner's Signature 7-18-22

An application fee of **\$300.00** for **Rezoning request with no Land Use Plan Change** or **\$400.00** for **Rezoning Request with Land Use Plan Change**, either in cash, money order, or check made payable to the "Town of Beaufort," should accompany this application. Payments can be made in person on the day of submittal and at such time, a credit card can be used to make the payment. Credit card payments are subject to a 3% extra fee.

Please refer to the *Land Development Ordinance*, [Section 3](#) and all other pertinent sections for the information required to accompany this application.

**REQUIRED ATTACHMENTS FOR AN AMENDMENT TO THE  
BEAUFORT ZONING MAP**

**Please provide the following as attachments to the zoning map amendment form:**

1. A statement as to whether or not the proposed zoning amendment is consistent with the Beaufort Land Use Plan.
2. A statement as to how the zoning amendment will promote the public health, safety or general welfare of the Town of Beaufort.
3. Proof of ownership (For example: a copy of the deed or city tax statement).

If a property is owned by more than one individual or if multiple properties under different ownership are applying under one request, attach a statement and signatures indicating that all owners have given consent to request the zoning change.

4. An area map of property to scale which includes:
  - North Arrow;
  - All Property lines and accurate property line dimensions;
  - Adjacent streets and names;
  - Location of all easements;
  - Location of all structures;
  - Zoning classifications of all abutting properties.
5. Please submit one digital/electronic copy of any drawings or plans associated with the amendment. At least one paper copy of the drawings or plans should also be submitted.
6. A TYPED list all property owners (with addresses) within 100 feet of the boundary lines of all properties requested to be rezoned (notification of adjacent property owners by the Town is required by North Carolina law).

**THE COMPLETE APPLICATION WITH SUPPORTING  
DOCUMENTATION IS DUE TO TOWN STAFF AT LEAST 15 WORKING  
DAYS PRIOR TO A SCHEDULED PLANNING BOARD MEETING.**

The Town’s website is [www.beaufortnc.org](http://www.beaufortnc.org).

**OFFICE USE ONLY**

Revised 08/2020

Received by: \_\_\_\_\_

Reviewed for Completeness By: \_\_\_\_\_

Date: \_\_\_\_\_

Date Deemed Complete and Accepted: \_\_\_\_\_

Karen S. Hardesty  
Carteret County, NC

December 15, 2021 9:45:03 AM

DEED # Pages: 3

Fee: \$26.00

NC Revenue Stamp: \$525.00

FILE # 1750114

*Karen S. Hardesty*

**NORTH CAROLINA GENERAL WARRANTY DEED**

Excise Tax: \$ 525.00

Parcel Identifier No. 730620802173000 Verified by \_\_\_\_\_ County on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
By: \_\_\_\_\_

Mail/Box to: John M. Harris, White & Allen, P. A., 304 N. 35th Street, Morehead City, NC 28557

This instrument was prepared by: White & Allen, P. A., 304 N. 35th Street, Morehead City, NC 28557 - File #M130243-1

Brief description for the Index: LOT ON LEONDA DRIVE

THIS DEED made this 15th day of December, 2021, by and between

**GRANTOR**

**GRANTEE**

Robin Mitchell, unmarried  
110 Heron Drive  
Havelock, NC 28532

Blue Treasure LLC  
105 Weston Estates Way  
Cary, NC 27513

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, parcel of land or condominium unit situated in the City of Beaufort, Beaufort Township, Carteret County, North Carolina and more particularly described as follows:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

**Submitted electronically by "white & Allen MHC"  
in compliance with North Carolina statutes governing recordable documents  
and the terms of the submitter agreement with the Carteret County Register of Deeds.**

The property hereinabove described was acquired by Grantor by instrument recorded in Book 1604 page 471.  
All or a portion of the property herein conveyed    includes or X does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat Book \_\_\_\_\_ page \_\_\_\_\_.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions: 2021 ad valorem taxes; utility easements and unviolated restrictions of record.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

By: \_\_\_\_\_ (Entity Name) Robin Mitchell (SEAL)  
 Print/Type Name: Robin Mitchell, unmarried

By: \_\_\_\_\_ (SEAL)  
 Print/Type Name: \_\_\_\_\_

By: \_\_\_\_\_ (SEAL)  
 Print/Type Name: \_\_\_\_\_

By: \_\_\_\_\_ (SEAL)  
 Print/Type Name: \_\_\_\_\_

State of North Carolina - County or City of Carteret  
 I, the undersigned Notary Public of the County or City of Carteret and State aforesaid, certify that Robin Mitchell, unmarried personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 14th day of December, 2021.

My Commission Expires: 1/29/2025 (Affix Seal)  
Teresa T. Vaughan Notary Public  
 Notary's Printed or Typed Name

State of \_\_\_\_\_ - County or City of \_\_\_\_\_  
 I, the undersigned Notary Public of the County or City of \_\_\_\_\_ and State aforesaid, certify that \_\_\_\_\_ personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My Commission Expires: \_\_\_\_\_ (Affix Seal)  
 \_\_\_\_\_ Notary Public  
 Notary's Printed or Typed Name

State of \_\_\_\_\_ - County or City of \_\_\_\_\_  
 I, the undersigned Notary Public of the County or City of \_\_\_\_\_ and State aforesaid, certify that \_\_\_\_\_ personally came before me this day and acknowledged that \_\_\_\_\_ he is the \_\_\_\_\_ of \_\_\_\_\_, a North Carolina or \_\_\_\_\_ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, \_\_\_\_\_ he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My Commission Expires: \_\_\_\_\_ (Affix Seal)  
 \_\_\_\_\_ Notary Public  
 Notary's Printed or Typed Name

## EXHIBIT "A"

BEING a part of the John Q. Chadwick farm in Beaufort Township Carteret County, North Carolina.

Beginning at Harold Mitchell's northeast corner in the west line of the "Trash Pile Road", now Leonda Drive; thence N 80\*-48'W, 150.0'; thence N 16\*-30'E, 65.0'; thence S 80\*-48'E, 150.0' to the west line of the above mentioned road; thence with said road line S 16\*-30'W, 65.0' to the point of beginning.

### **Consistency statement with regards to the Beaufort plans.**

The proposed rezoning of RS-5 (Residential Single-Family 5 Development District) demonstrates consistency with The Town of Beaufort's plans illustrated by future land uses identified in the 2006 Land Use Plan.

The future land use map from 2006 identifies the parcel as low-density residential use. The existing lot petitioned for rezoning is currently zoned R-20 and is a non-conforming lot of record that until recently accommodated a manufactured home.

Given the information gathered from the 2006 Land Use Plan Map, the similar intended use of detached single family residential is applied to the parcel. The desired rezoning seeks to continue The Town's intended practice of detached single family residential on this lot.

Additionally, the CAMA Core Land Use Plan notes that generally, growth and land development is anticipated to occur in all future land use categories except for the Conservation/Open Space classification.

The 2006 Land Use plan included a land suitability analysis to provide the local government with information regarding the best areas for development. The project parcel is located in a high suitability area. Some of following factors included in the assessment were the following:

- Proximity to existing developed areas and compatibility with existing land uses.
- Land use and development requirements of local development regulations, CAMA Use Standards, and other applicable state regulations, and applicable federal regulations.
- Availability of community facilities, including water, sewer, stormwater and transportation.

The proposed use, detached single family residential, is consistent with the surrounding area of existing single family residential, with existing infrastructure that will be extended for the proposed use.

The proposed rezone is consistent with the Town of Beaufort Land Use and Development Goals as follows:

- Promote land use and public infrastructure development that is compatible with land suitability as well as capabilities to provide requisite public services.
- Promote land use and land development compatible with the functional purposes of areas of Environmental Concern.

Lastly, The Town of Beaufort's Core Land Use Plan identifies the land use of the parcel as residential. Beaufort's Land Use Plan states that there is sufficient undeveloped land and redevelop-able tracts currently in existence on the immediate periphery of the current Beaufort planning jurisdictional area for residential needs alone through 2025, such as the proposed development. Thus, the parcel identified is compatible with the development patterns expected by The Town of Beaufort.

**Statement on the health, safety, and welfare benefits of the rezoning.**

The desired rezoning is from R-20 (Residential Single-Family District) to RS-5 (Residential Single-Family 5 Development District).

The proposed rezoning will promote the public health, safety, and general welfare of The Town by ensuring consistency with similar uses to the future Beau Coast development which is the predominate surrounding land use in this area. The proposed land use will assist in solidifying the residential nature of the area at a scale comparable to the adjoining Beau Coast development. The Town's development regulations and building codes will ensure the health, safety and welfare of the area are maintained.





**BEAUFORT BOARD OF COMMISSIONERS  
AN ORDINANCE TO REZONE  
243 LEONDA DRIVE FROM R-20 to RS-5  
ORDINANCE NO. 22-\_\_\_\_\_**

Applicant: Blue Treasure LLC  
Location: 243 Leonda Drive  
Parcel ID: 730620802173000  
Lot Size: 0.223 acres  
Existing District: R-20 Residential Single-Family District  
Meeting Date: November 14, 2022  
Requested District: RS-5 Single-Family District

**WHEREAS**, Blue Treasure LLC has submitted a request to rezone the above referenced property to RS-5; and

**WHEREAS**, the Beaufort Planning Board has convened to consider and prepare a recommendation and consistency statement on the request at its meeting on October 17, 2022, at which time the Planning Board recommended approval of the request; and

**WHEREAS**, the Beaufort Board of Commissioners conducted a public hearing on November 14, 2022, at which time the applicant and/or applicant’s representative was given the opportunity to present arguments, and Town staff was given the opportunity to comment on the application; and

**WHEREAS**, the Town Board of Commissioners has made the following findings and conclusions:

1. The request is consistent with surrounding land use patterns and zoning in the area.

**NOW, THEREFORE, IT IS HEREBY ORDAINED** by the Board of Commissioners on the basis of the foregoing findings and conclusions that the request to rezone 243 Leonda Drive is approved and the Town’s Zoning Map is amended accordingly.

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Enacted on motion of Commissioner \_\_\_\_\_ and carried on a vote of \_\_\_ in favor and \_\_\_ against.

This, the 14<sup>th</sup> day of November 2022

TOWN OF BEAUFORT

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Sharon Harker, Mayor

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Elizabeth Lewis, Town Clerk



**Town of Beaufort, NC**

701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516 252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

**Board of Commissioners  
Regular Meeting  
6:00 PM Monday, September 12, 2022  
Train Depot, 614 Broad Street  
Beaufort, NC 28516**

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**AGENDA CATEGORY:** Closed Session  
**SUBJECT:** Pursuant to NCGS 143-318.11 (a) (4)

**REQUESTED ACTION:**  
Motion to enter closed session pursuant to NCGS 143-318.11 (a) (4) to allow the Board of Commissioners to discuss future economic development opportunities.

**SUBMITTED BY:**  
Todd Clark, Town Manager

**BUDGET AMENDMENT REQUIRED:**  
No